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ABSTRACT

This Invitation to Submit Materials provides an overview of the total instructional materials adoption-distribution process and specific instructions relating to initial submissions for materials to be used in California schools--kindergarten through grades 1 to 8--in the areas of art, music, bilingual and bicultural education, English as a Second Language, and foreign languages. The State Department of Education distributes the invitation to publishers interested in participating in the process. The introductory pages of the document provide information on the framework/adoption cycle, legal authority, adoption process, instructional materials funding, ordering and distribution process, and special approvals. The following attachments are included: framework/adoption cycle; education code provisions and instructional materials; specimen copies of the "List of Instructional Materials Submitted for California State Adoption"; International Standard Book Number; instructions for completing "Program Descriptions"; legal compliance (social content) standards; criteria for evaluating instructional materials; specimen copy of "Price Quotation on Instructional Materials"; specimen copy of "Statement of Textbook Specifications"; specimen copy of standard agreement (contract) between the State Board of Education and the publisher; and payment approval process and procedures. The document also includes a list of acronyms and a schedule of significant events for the 1983-84 adoption process. (PB)

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ED239417

1983-84

INVITATION TO SUBMIT FOR ADOPTION IN CALIFORNIA BASIC INSTRUCTIONAL MATERIALS IN THE AREAS OF:

Art, Music, Bilingual-Bicultural, English As A Second Language, and Foreign Language

U.S. DEPARTMENT OF EDUCATION
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CALIFORNIA STATE BOARD OF EDUCATION

C. HUGH FRIEDMAN, President

November 1983

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Superintendent of Public Instruction

EA 016 386

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ACRONYMS

ADA	-	Average Daily Attendance
CFCC	-	Curriculum Framework/Criteria Committee
CFTD	-	Curriculum Frameworks and Textbook Development
IMEP	-	Instructional Materials Evaluation Panel
IMF	-	Instructional Materials Fund
ISBN	-	International Standard Book Number
LCC	-	Legal Compliance Committee
NASTA	-	National Association of Textbook Administrators
PD	-	Program Descriptions
PLOF	-	Price List and Order Form
SBE	-	State Board of Education
SDE	-	State Department of Education

SCHEDULE OF SIGNIFICANT EVENTS
FOR THE 1983-84 ADOPTION

Art, Music, Bilingual-Bicultural,

English As A Second Language, and Foreign Language

	Event	Deadline
1.	Distribution of Invitation to Submit to representatives of publishers/producers	November 2, 1983
2.	Receipt of submission lists/out-of-cycle notification/catalogs/narrative descriptions and NASTA specifications by SDE	December 1, 1983
3.	Distribution of sampling instructions and printed labels to all publishers/producers	February 1, 1984
4.	Final date for receipt of samples to all designated shipping locations	March 15, 1984
5.	Beginning of legal compliance reviews	March 16, 1984
6.	Completion of inventory at random site(s) by SDE/CFTD representative(s)	March 22, 1984
7.	Receipt of missing components at designated sites	April 4, 1984
8.	Distribution of requests for bids	April 4, 1984
9.	Distribution of disqualification notices to publishers/producers for failure to meet sampling requirements	April 11, 1984
10.	Receipt of formal bids by SDE	May 2, 1984
11.	Completion of legal compliance reviews; final date for written public input regarding compliance	May 9, 1984
12.	Distribution of notices of noncompliance (LCC) to publishers/producers	May 16, 1984
13.	Receipt by SDE of responses to May 16 notice (LCC)	June 15, 1984
14.	Distribution of notices to publishers/producers whose royalty rates exceeded maximum allowable (prior adoptions)	June 21, 1984
15.	Completion of Educational Content Review	June 25, 1984
16.	Legal Compliance appeals (first level)	July 5-6, 1984

17.	Final date for written public input regarding content	July 13, 1984
18.	Receipt by SDE of responses to June 21 notice (royalty)	July 13, 1984
19.	Distribution of notices to publishers/producers whose royalty rates or prices are not in compliance with State Board Policy	July 20, 1984
20.	Legal Compliance appeals (second level)	July 20, 1984
21.	Recommendations of subject matter committees to Curriculum Commission	July 27, 1984
22.	Public input session of Curriculum Commission	July 27, 1984
23.	Advance listing of recommended materials to IMDCs	August 1, 1984
24.	Notification to publishers/producers regarding Commission recommendations	August 1, 1984
25.	Receipt by SDE of responses to July 20 notice (Royalty)	August 10, 1984
26.	Recommendations of Curriculum Commission to State Board of Education	September 13, 1984
27.	Public Hearing of SBE	September 14, 1984
28.	Adoption of materials by SBE	September 14, 1984
29.	Distribution of contracts to publishers/producers	October 5, 1984
30.	Distribution of Program Descriptions and Price List and Order Form	November 12, 1984
31.	Final receipt of completed "California Revisions"	February 22, 1985
32.	Notice to publishers to supply free teachers editions for state printed materials	March 4, 1985
33.	Receipt by SDE of orders for materials needed by July (e.g., summer schools, year-round schools, and early deliveries)	April 1, 1985
34.	Receipt by SDE of orders for materials needed for the opening of the new school year (85-86)	May 2, 1985
35.	Orders to publishers/producers (summer schools, year-round schools, and early deliveries)	May 2, 1985
36.	Receipt from publishers of free teacher editions for state printed materials in State Textbook Warehouse	May 15, 1985
37.	Receipt of final orders using order forms for current school year	May 15, 1985

38.	Materials delivered to schools (summer schools, year-round schools, and early deliveries)	June-July 2, 1985
39.	Orders to publishers/producers for opening of the new school year	June 3, 1985
40.	Materials delivered to schools for opening of the new school year	August 15 to September 5, 1985

September 1983

I. INTRODUCTION

This Invitation To Submit Materials initiates the annual subject area(s) adoption of basic instructional materials for use in California schools, kindergarten, and grades one through eight. An overview of the total instructional materials adoption-distribution process and specific instructions relating to initial submissions are provided within this invitation. By submitting materials for adoption, publishers/producers agree to follow the procedures set forth in the invitation. Failure to comply can result in disqualification.

The following attachments are included:

1. Framework/Adoption Cycle
2. Education Code Provisions, Instructional Materials
3. Specimen Copies of "List of Instructional Materials Submitted for California State Adoption (CFIM-2)"
4. International Standard Book Number (ISBN)
5. Instructions for Completing "Program Descriptions"
6. Legal Compliance (Social Content) Standards
7. Criteria for Evaluating Instructional Materials
8. Specimen Copy of "Price Quotation on Instructional Materials (TXT-10)"
9. Specimen Copy of "Statement of Textbook Specifications"
10. Specimen Copy of Standard Agreement (Contract) between the State Board of Education and the Publisher
11. Payment Approval Process and Procedures

Changes in legislation, regulations or policies may effect the processes and procedures specified in this invitation. Inquiries relating to the adoption and distribution processes should be directed to the Department of Education, Office of Curriculum Frameworks and Textbook Development, 721 Capitol Mall, Sacramento, CA 95814; telephone (916) 445-2731.

II. FRAMEWORK/ADOPTION CYCLE

California established a six year framework/adoption cycle with subject area frameworks scheduled for completion three years prior to the adoption of the instructional materials. Attachment 1 depicts the currently scheduled subject framework/adoption cycle.

A curriculum framework, for each major subject matter area, is produced under the direction of the Curriculum Development and Supplemental Materials Commission (commonly referred to as the Curriculum Commission). The California State Board of Education receives recommendations from the Curriculum Commission and input from other sources prior to adopting a specific framework. Frameworks outline curriculum content elements upon which criteria are developed for evaluating instructional materials. Members of the Curriculum Commission's Instructional Materials Evaluation Panels use these criteria and educational specifications in judging and recommending instructional materials for adoption. Frameworks may be obtained by calling or writing:

California State Department of Education
Publications Office
P. O. Box 271
Sacramento, CA 95802
(916) 445-1260

III. LEGAL AUTHORITY

The State Board of Education acts to adopt instructional materials in accordance with California Education Code Sections 60200 and 60201, under the authority of Article IX, Section 7.5, of the State Constitution. Legal definitions are contained in Sections 60011-60028 of the Education Code. Social content requirements (for legal compliance) are set forth in Education Code Sections 60040-60044. Attachment 2 contains pertinent extracts from the Education Code relating to the submission of instructional materials.

IV. ADOPTION PROCESS

A. Invitation to Submit Materials

The State Department of Education, on behalf of the State Board of Education, issues an Invitation to Submit Materials for the subject areas scheduled for adoption. The invitation is distributed to publishers who have notified the Department's Office of Curriculum Frameworks and Textbook Development (CFTD) of their interest in participating in the process.

B. Submissions

In response to the invitation, publishers submit lists of all basic programs and components which they desire to be adopted for use in California schools. No item may be adopted in more than one subject area.

1. Materials

a. Instructional Materials Appropriate for Submission:

- Materials in subject areas specified on the title page of this document.
- Basic instructional material program components only "Basic instructional materials" means instructional materials designed for use by pupils as a principal learning resource and which meet in organization and content the basic requirements of the intended course (EC 60012).
- Items previously adopted and due to expire in 1985.

b. Submission of Related Teacher Materials:

- If teacher materials are provided free (in the ratio of 1:25), they must also be available for purchase. Many California classes are too small to qualify for free teacher materials. Failure to provide teacher materials for purchase (in ary quantity) will result in disqualification of both teacher materials and student editions.
- Each student edition MUST BE ACCOMPANIED by some form of teacher edition/guide/manual. Failure to submit teacher materials along with a student edition will result in disqualification of the student edition.
- Teacher materials must be supplied free on the same basis as elsewhere in the United States, even when the State of California prints the adopted materials.
- If teacher editions are provided free, they must be supplied in a ratio of 1 to 25 to accompany any single student text whether the student text is printed in a single or multi-level format.
- If materials, other than teacher editions, are provided free, publishers/producers must notify the CFTD Office. All free materials must pass California legal compliance requirements.

c. Materials Not Appropriate for Submission:

- Supplementary instructional materials.
- Previously adopted items that are still in adoption.
- New edition substitutions for items currently in adoption.
- Materials designated as "multigraded" or "nongraded."

d. Alternate Formats of Materials Appropriate for Submission:

- Alternate formats are materials which are identical in content but differ in physical format (i.e; hard-soft cover, tape-record, single-multi color, etc.).
- Alternate formats may include bilingual-bicultural materials.
- Alternate format items must be listed immediately following the basic item on the List of Instructional Materials Submitted for California State Adoption (Form CFIM-2) and identified with an "A" in the appropriate column.
- While alternate formats are normally available at the time of initial submission, they may also be submitted at any time up to the final two years of adoption. Alternate format materials submitted after a program's adoption will be given the same adoption termination date as the original formats. Publishers/producers should request approval of alternate formats from the CFTD Office.

> Pupil editions of basic texts designed for use by students in kindergarten and grade one are to be in at least 18 pt. standard or bold type or the equivalent. This requirement applies to the material that students will be reading and does not apply to teacher directions and notes to parents. Captions and art work are exempt from this requirement.

2. Forms for Submission of Instructional Materials

a. List of Instructional Materials Submitted for California State Adoption Form CFIM-2 - This listing identifies all components being submitted. Specimen copies of completed forms and completion instructions are attached (Attachment 3). To be accepted, all submitted items must be identified by ISBNs (see Attachment 4).

b. Program Description Form - This document describes each submitted program. It is used in the evaluation of the material. If the program is adopted, it is also used in the development of the Program Descriptions document which is produced to accompany the state Price List and Order Forms. Instructions for developing program descriptions and a sample description are enclosed (Attachment 5).

c. Statement of Textbook Specifications - Instructional materials submitted for adoption must meet all appropriate NASTA specifications. Completed specification forms (Attachment 9) must be submitted for each student textbook and for each

student workbook submitted for adoption. Failure to complete the form accurately will result in the reduction of the "Film Lease" payment to the publisher/producer. This reduction will reflect the incurred cost by the State Printer to adjust for incorrect or incomplete information given by the publisher/producer on the submitted textbook specification form.

d. Catalogs/Brochures - Publishers/Producers are also requested to submit available catalogs/brochures to assist in item identification and the development of program descriptions.

3. Submission Addresses and Schedule

Completed submission lists (Form CFIM-2), descriptions of materials, NASTA specifications, and catalogs/brochures must be received by SDE on or before the deadline specified within the 1983-1984 Schedule of Significant Events. Failure to meet the deadline for submission will result in disqualification of the items from further consideration in the current adoption cycle. It is suggested that publishers/producers deliver lists in person or send them by certified mail so that delivery by the deadline is confirmed. Deliver to:

Joseph C. Ciochetti, Consultant
Office of Curriculum Frameworks and
Textbook Development
California State Department of Education
721 Capitol Mall
Sacramento, CA 95814
Attention: Submission List

4. Sampling Guidelines and Procedures

The Department of Education, after receipt and review of publisher/producer submission lists and program descriptions, will request samples of materials accepted for evaluation.

a. Sampling Procedures:

The Department of Education will distribute the following material to appropriate publishers:

1) Listing of items accepted for review annotated with a six digit identification (sequence) number for reference purposes (adoption code number)

2) Packaging, distribution and receipt deadline instructions

3) Listing of addresses for the initial distribution of samples (approximately 50 sets)

4) Pre-printed adhesive labels for attachment to sample items and associated placement instructions

b. Distribution of Samples:

1) All samples must be shipped free of charge. No shipping, handling, sample, or other cost may be charged to the State Board of Education or its members, the Curriculum Development and Supplemental Materials Commission or its members, the State Department of Education or its personnel, Instructional Materials Display Centers (IMDCs) or their personnel, or evaluators.

2) It is the responsibility of the publisher/producer to ensure that materials are delivered to and off-loaded at the designated address within the time period specified.

3) It is each publisher's/producer's responsibility to ensure that a complete delivery was made.

4) All samples must be received by listed recipients no later than specified in the Schedule of Significant Events.

c. Sample Requirements:

1) All samples must be in final form. Manuscripts, galley proofs, page dummies, and the like will not be considered without a compelling reason. Permission to submit an item in other than final form must be obtained from the Department in writing before any samples are shipped.

2) If an item is available in more than one format, only one format needs to be sampled. For hardcover/softcover, sample the hardcover. For cassette/record, sample the cassette. For combined/modular, sample the modular.

3) Any special equipment or machinery, other than the standard audio-visual equipment, which is necessary to view or use submitted materials must also be supplied. The equipment must be furnished to each location where the materials are displayed, and the equipment must remain with the materials for the entire preadoption evaluation and display period. If the materials are adopted, the equipment must remain with the submitted samples throughout the adoption period.

4) Once sample materials have been submitted, those items and all others purporting to be copies of the same material shall not be changed in content or format or specifications during the evaluation period. After adoption the contents shall not be changed except with the consent of

the Department of Education. Any exchanging, updating, or modifying by the publishers/producers of the samples on display in IMDCs or being evaluated by the Curriculum Commission or by IMEPs will result in disqualification.

d. Shipment Verification:

Shortly after sample receipt deadlines, the Department of Education will perform an inventory of materials received at selected display centers. Publishers will be notified of missing components and required to complete shipments.

Major sample distribution errors and/or failure to respond on a timely basis to the Department of Education request for corrective shipments will result in disqualification.

C. Evaluation of Materials:

Submitted materials undergo the following three evaluations during the adoption process:

1. Legal Compliance Review:

a. Materials are reviewed for compliance with the social content requirements of the Education Code (EC 60040 to 60044) and with the standards developed by the State Board of Education (Attachment 6). Panel members, consisting of members of the lay public and educators, examine each item and determine if material does or does not meet compliance requirements.

b. Publishers/producers are notified of the results of legal compliance review. If an item is found to be out of compliance, the publisher/producer has three options: (1) The item may be revised to bring it into compliance, (2) the finding of noncompliance may be appealed, or (3) the publisher may do nothing and have the item declared noncompliant.

1. In the event of a citation of noncompliance (from the legal compliance review), publishers/producers have the opportunity to <u>revise</u> their instructional material. Proposed revisions must be approved by the original reviewing panel, by an Appeal Committee (first level appeal), or by the State Board (second level appeal). A <u>finished</u> copy of any "California Revision" is due at the Department by the deadline set within the Schedule of Significant Events. Failure to meet this deadline will result in disqualification of the material and revocation of its adoption status and the item may not be adopted even if it is brought into compliance. A new copyright may not be given to a "California Revision".

2. A publisher may choose to appeal a citation of non-compliance. There are two levels of appeal: If a publisher or producer fails in the initial appeal to a Legal Compliance Appeals Committee, a second level appeal may be made to a committee of the State Board.

c. Once an item has been definitely eliminated from further consideration because of failure to comply with legal requirements, the Commission and the appropriate evaluators are notified. The item is then eliminated from further consideration in the current adoption process.

d. Legal compliance clearance at the state level is in effect for six years. If an item is adopted, it needs no further legal compliance review until its adoption period terminates. However, many items are cleared for legal compliance out of cycle. Such an item, if submitted during a subsequent adoption, would require another evaluation for legal compliance if less than five years remain for its legal compliance approval period.

2. Educational Content Review:

a. Following their review for legal compliance, items submitted for adoption are evaluated for educational content. The Instructional Materials Evaluation Panels (IMEPs) are composed of subject matter specialists and are organized into three panels that represent the geographic diversity of the state. IMEPs complete a written evaluation of each program and rank each program submitted. Chairpersons representing each of the three panels report their recommendations to the appropriate Subject Matter Committee of the Curriculum Commission.

b. Publishers/producers must not contact members of Instructional Materials Evaluation Panels (IMEPs) except during the scheduled times and in the prescribed manner. Contact with individual members of IMEPs by publishers/producers for the purpose of influencing the review of their particular programs other than during the scheduled times (publisher presentation) and in the prescribed manner is inappropriate. IMEPs will be required to report all contact that occurs to the Department. Such contact may lead to disqualification from further consideration in the current adoption process or legal action or both. However, publishers/producers may continue to contact those IMEP members who have meetings with publishers in the normal course of their duties. No reference to the evaluation process or the business of the Commission and the IMEPs may be made in these meetings.

c. The Subject Matter Committee compares the written evaluation and rankings for each program, considers their own evaluation of the instructional materials, and makes recommendations to the full Commission as to the merit of each program.

3. Public Review:

Participation by the public in the timely review of instructional materials is encouraged by the State Board of Education. Instructional Materials Display Centers (IMDCs) provide members of the public access to materials which have been submitted for possible adoption. Samples of all items submitted by publishers/producers are displayed at these centers. Any citizen may review an item and, if he or she so desires, make comments as to the suitability of the material. Special forms are provided for this purpose. Comments received from the public are transmitted to the appropriate Legal Compliance Panel, Appeals Committee, Subject Matter Committee of the Commission, publisher/producer, and/or State Board within the timelines established for these various processes.

IMDCs serve other purposes also. They provide a central location, with necessary equipment, for the legal compliance and instructional content review of materials. They are important to teachers and district and county staff members who want to do preliminary screening of material for later selection, as well as the actual selection. They also serve as local information centers on the status of items being considered for adoption. Display centers are utilized by school district staff throughout the year to make selections of instructional materials.

D. Price Quotation (Bid) Submissions:

The Department of Education distributes pre-printed Price Quotation on Instructional Materials (TXT-10) forms (Attachment 8) to publishers/producers. These documents are used to: (1) Submit initial contract prices for new materials being considered for adoption, and (2) Submit biennial price adjustments for currently adopted material.

All price adjustment submissions must be in compliance with California's Most Favored Nation Clause (EC 60061).
Price information will be required for each of the following purchasing alternatives:

1. State Board Purchases Finished Materials

The rate submitted is to reflect (a) completed book price, (b) state sales/use tax (6%), (c) prepaid freight to <u>any</u> ordering point (district) in California.

2. State Printed Materials

California requires the right to print and distribute adopted student textbooks and workbooks when projected order volumes are of a level to make such an activity cost effective. Under this acquisition alternative, the following cost submissions are required: (a) cost to state of leasing film to print selected material, (b) per unit print fee (royalty) which will be

charged the state to print materials (current regulations limit this fee to no more than 55% of the publishers completed book price).

The prices submitted by publishers/producers on Instructional Materials (TXT-10) forms will be in effect for a two year period. Prices may not be increased after the final filing date of the Price Quotation forms until the next scheduled biennial price update.

While the normal schedule allows publishers/producers to adjust their prices biennially, it is their responsibility to immediately notify the Department of Education of any item price reductions or increased free materials due to current offers in California or offers or contracts with other states or governing boards.

E. Adoption Recommendations and Public Hearings

Taking into consideration the content reviews by the Instructional Materials Evaluation Panels and the recommendations of the Curriculum Commission Subject Matter Committee(s), the full Commission makes its determination as to which items to recommend to the State Board for adoption.

These recommendations are presented to the State Board of Education and are posted at the 29 Instructional Materials Display Centers.

The State Board then holds a public hearing to allow for input and comments relating to recommended instructional materials.

F. State Board Adoption and Contracting

Taking into account the recommendations of the Curriculum Commission and the comments from the public and district staffs, the State Board makes its official adoption. This action constitutes a binding agreement with the publishers/producers, and as such becomes the basis for a formal contract between the publisher/producer and the State Board of Education.

The Department of Education notifies participating publishers/producers of adopted items and may request the submission of additional samples (not more than 40) of adopted items.

Contracts for the six-year adoption period are prepared by the Department of Education and forwarded to publishers for review and signature. Publisher-signed contracts are then ratified by the State Board President.

G. Instructional Materials Program Descriptions and Price List and Order Form Distribution

All current state adopted materials are listed in state produced subject area PD and PLOF. After adoption by the State Board of Education, updated versions of PD and PLOF are distributed to California's public school districts for notification and ordering purposes. Complimentary copies are also mailed to publishers of adopted materials. Copies of PD and PLOF may be purchased from the California State Department of Education, Publications Office, P. O. Box 271, Sacramento, CA 95802.

V. INSTRUCTIONAL MATERIALS FUNDING

Annually the State Legislature appropriates monies to the Instructional Materials Fund (IMF) to support the district purchase of state approved instructional materials.

Each district's IMF allocation is based on their average daily attendance (ADA) with the actual distribution in three possible categories.

A. Automatic Cash - 5 percent of each allocation is distributed to districts for the direct purchase of testing, in-service training on textbooks and instructional materials, or instructional materials (basic or supplementary).

B. Optional Cash - Districts may request up to an additional 15 percent of their annual allocation for the direct purchase of basic and supplementary instructional materials which have passed legal compliance at the state level.

C. Credit - The remaining district allocation balance is retained at the state level to fund district purchases, via the state, of currently adopted or State Board approved basic instructional materials.

D. Direct Order Cash Allotment - Effective July 1, 1983 districts have the option of receiving their total Instructional Materials Fund Allotment in 10 equal cash installments with which to purchase materials directly from the publisher. Restrictions A & B listed above are applicable.

VI. ORDERING AND DISTRIBUTION PROCESS

A. District-State Ordering

Utilizing the current Program Descriptions, and Price List and Order Form of state adopted instructional materials, public school districts submit requisitions for state funded materials to the State Department of Education.

Requisitions received by the state are reviewed for correctness and audited for availability of funds. Approved orders are forwarded to publishers in the form of purchase orders or to the state warehouse if the material is printed by the state.

> District orders for state adopted materials purchased with local (district) funds are placed directly with publishers. Under California's Most Favored Nation Clause (Education Code 60061) all direct district orders for state adopted material must be at the state contract price.

Districts which have chosen to use their Instructional Materials Funds in the direct order process (Authorized by AB 2561) place their orders for state adopted materials directly with the publishers at the state contract price.

Under the current schedule publishers may expect the major annual orders to be submitted in May and June.

1. State Printing Selection

Shortly after the annual adoption, the Department of Education initiates a study of projected school district ordering volumes. Phone surveys coupled with publisher sales forecasts become the basis for these projections. These state-wide volumes are then used to determine the cost the state would incur in printing and distributing the most widely ordered materials. Where state printing is determined to be cost effective, the Department of Education forwards a requisition to the Office of State Printing to produce the selected student texts and workbooks at the projected volumes.

Immediately after the state printing selection is initially made publishers are notified in writing if their material was selected, and the printing volume. Associated free teacher editions will be required in the same ratio as supplied for orders placed directly with the Publisher.

After state printing, materials are warehoused and shipped to ordering school districts by the Department of Education.

During this order fulfillment process quarterly payments are initiated from the state to the publisher reflecting state printed volumes shipped to school districts times the publishers per unit print fee (royalty). Normally, after state inventories have been expended, school district orders are forwarded to the appropriate publisher for order fulfillment.

2. Delivery of Materials

Publishers of adopted materials are expected to provide ordered materials on a timely basis. Abnormally late delivery, unauthorized product substitutions, or failure to provide adopted materials will be considered a breach of contract and legal action may be taken.

3. Vendor Payment

The Department of Education's Office of Curriculum Frameworks and Textbook Development (CFTD) approves payment to suppliers after receipt and reconciliation of, (1) a vendor invoice and, (2) school districts written verification of satisfactory receipt of all ordered materials. Under existing state fiscal procedures, payment is normally made approximately 90 days after shipment receipt confirmation has been received from school districts by the Department of Education. Payments are not made on partial shipments.

B. District - Direct Ordering from Publishers/Producers

Districts that have opted for direct ordering must comply with the same statutes and State Board of Education administrative policies as govern expenditures under the state credit allocation (refer to Section V., Instructional Materials Funding).

VII. SPECIAL APPROVALS

A. New Edition Substitutions

Occasionally, it becomes desirable to substitute a new edition of an adopted item for the previous edition which was originally adopted. This may occur because a publisher/producer has corrected inaccuracies or made additions to the text of an item. The rationale for a new edition substitution is that the old and new items contain the same content, for the most part, so that substituting the new edition is actually making no change in what was adopted.

Upon request by a publisher/producer to substitute a newer edition of an adopted item, the CFTD Office will verify the suitability of the substitution. To be accepted it must be determined that the new edition could be used side by side with the old edition in a classroom environment except if the new edition substitution is requested before the adopted materials have been distributed to classrooms. In addition, all new portions of the item must meet current legal compliance with the social content requirements of the Education Code.

New edition substitution requests should be made during biennial price updates. Interim substitutions must be without increases in price. Once approved by the Department of Education, the new edition will automatically be placed in adoption as the substitute for the original edition for the same adoption period. A new edition substitution must have a copyright and ISBN change.

Unauthorized substitutions of state adopted materials is illegal, and could result in disqualification of all adopted materials.

B. Petition Purchases

Nonadopted "basic" instructional materials may be acquired by school districts utilizing state funds when requesting districts determine that existing state adopted materials do not meet identified local needs. Petitions must be approved by the State Board of Education.

The process is initiated by the submission of a petition by the local school district to the State Board for approval to obtain and utilize non-adopted material. Approval is granted when sufficient justification is given and samples of the desired items have successfully completed a social content (legal compliance) review and public display.

C. Out-of-Cycle Legal Compliance

A portion (up to 15 percent) of a district's annual instructional materials appropriation may be used to purchase replacements of adopted basic material and nonadopted basic and supplementary material that have successfully passed a legal compliance review at the state level.

To determine the availability of materials, districts should refer to an "approved for purchase" list published by the Department. Publishers/producers desiring to submit materials for an out-of-cycle review and inclusion on the list should contact the Department of Education's CFTD Office to determine the fee charge, submission schedule and sample requirements.

Publishers/producers are cautioned not to present materials which have only passed a state level legal compliance review as State adopted. Missrepresentation of the facts could result in a recommendation to the State Board of Education for disqualification of all materials including those previously adopted by the Board.

ATTACHMENT #1

FRAMEWORK/ADOPTION CYCLE

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

FRAMEWORK/ADOPTION CYCLE

Six-year Cycle

Start framework/adoption - Complete framework/adoption - Distribute framework/materials -	81 82 83	82 83 84	83 84 85	84 85 86	85 86 87	86 87 88	87 88 89	88 89 90	89 90 91	90 91 92
READING-LITERATURE	A			F			A			
SOCIAL SCIENCES INTERDISCIPLINARY (K)		A			F			A		
ART-MUSIC, BILINGUAL, FOREIGN LANGUAGES			A			F			A	
SCIENCE - HEALTH	F			A			F			A
MATHEMATICS		F			A			F		
ENGLISH AND RELATED SUBJECTS			F			A			F	

A = Adoption Process (Instructional Materials)

F = Framework

ATTACHMENT #2

EDUCATION CODE PROVISIONS APPLICABLE TO THE INVITATION TO SUBMIT MATERIALS

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

"Instructional Material"

60011. "Instructional material" means all materials designed for use by pupils and their teachers as a learning resource and which help pupils to acquire facts, skills, or opinions or to develop cognitive processes. Instructional materials may be printed or nonprinted and may include textbooks, educational materials and tests.
(Enacted by Stats. 1976, Ch. 1010.)

"Basic Instructional Material"

60012. "Basic instructional material" means instructional materials designed for use by pupils as a principal learning resource and which meet in organization and content the basic requirements of the intended course.
(Enacted by Stats. 1976, Ch. 1010.)

"Supplemental Instructional Materials"

60013. "Supplementary instructional materials" means instructional materials designed to serve, but not limited to, one or more of the following purposes, for a given subject, at a given grade level:
(1) To provide more complete coverage of a subject or subjects included in a given course.
(2) To provide for meeting the various learning ability levels of pupils in a given age group or grade level.
(3) To provide for meeting the diverse educational needs of pupils with a language disability in a given age group or grade level.
(4) To provide for meeting the diverse educational needs of pupils reflective of a condition of cultural pluralism.
(Enacted by Stats. 1976, Ch. 1010.)

"Instructional Materials System"

60014. "Instructional materials system" means a comprehensive collection of related instructional materials which are designed to improve learning in one or more subjects and are so designed that all parts of the system should be used to produce the results intended.
(Amended by Stats. 1977, Ch. 36.)

"Instructional Materials Set"

60015. "Instructional materials set" means a collection of related instructional materials produced and submitted as a set by a single publisher or manufacturer and which are so designed that each part of the set is related to the same subject; however, not all parts of a set shall be necessary to promote the maximum efficiency of pupil learning in that subject. All parts of a set shall have a common educational purpose and methodology, and each part of a set shall be identified, marked, or imprinted with a common title or name.
(Enacted by Stats. 1976, Ch. 1010.)

"Textbook"

60016. "Textbook" means a book designed for use by pupils as a source of instructional material, or a teachers edition of the same book.
(Enacted by Stats. 1976, Ch. 1010.)

"Educational Material"

60017. "Education material" means any audiovisual or manipulative device including, but not limited to films, tapes, flashcards, kits, phonograph records, study prints, graphs, charts and multimedia systems. Educational materials do not constitute equipment as defined in the California School Accounting Manual.
(Enacted by Stats. 1976, Ch. 1010.)

Portrayal of Cultural and Racial Diversity

60040. When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society, including:

(a) The contributions of both men and women in all types of roles, including professional, vocational, and executive roles.

(b) The role and contributions of American Indians, American Negroes, Mexican Americans, Asian Americans, European Americans, and members of other ethnic and cultural groups to the total development of California and the United States.

(c) The role and contributions of the entrepreneur and labor in the total development of California and the United States.

(Enacted by Stats. 1976, Ch. 1010.)

Ecological System; Use of Tobacco, Alcohol, Drugs, and Other Dangerous Substances

60041. When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which accurately portray, whenever appropriate:

(a) Man's place in ecological systems and the necessity for the protection of our environment.

(b) The effects on the human system of the use of tobacco, alcohol, narcotics and restricted dangerous drugs as defined in Section 11032 of the Health and Safety Code, and other dangerous substances.

(Enacted by Stats. 1976, Ch. 1010.)

Thrift, Fire Prevention and Humane Treatment of Animals and People

60042. When adopting instructional materials for use in the schools, governing boards shall require such materials as they deem necessary and proper to encourage thrift, fire prevention and the humane treatment of animals and people.

(Enacted by Stats. 1976, Ch. 1010.)

Declaration of Independence and Constitution of the United States

60043. When adopting instructional materials for use in the schools, the governing board shall require, when appropriate to the comprehension of pupils, that textbooks for social science, history or civics classes contain the Declaration of Independence and the Constitution of the United States.

(Amended by Stats. 1976, Ch. 1011.)

Prohibited Instructional Materials

60044. No instructional materials shall be adopted by any governing board for use in the schools which, in its determination, contains:

(a) Any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex or occupation.

(b) Any sectarian or denominational doctrine or propaganda contrary to law.

(Enacted by Stats. 1976, Ch. 1010.)

Compliance by Publisher or Manufacturer

60060. Every publisher or manufacturer of instructional materials offered for adoption or sale in California shall comply with all the requirements and provisions of this part.

(Enacted by Stats. 1976, Ch. 1010.)

Publishers' and Manufacturers' Duties

60061. A publisher or manufacturer shall:

(a) Furnish the instructional materials offered by him at a price in the State of California which, including all costs of transportation to that place, shall not exceed the lowest price at which the publisher offers said instructional materials for adoption or sale to any state or school district in the United States.

(b) Automatically reduce the price of said instructional materials to any governing board to the extent that reductions are made elsewhere in the United States.

(c) Provide any instructional materials free of charge in the State of California to the same extent as that received by any state or school district in the United States.

(d) Guarantee that all copies of any instructional materials sold in California shall be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States, and shall be kept revised, free from all errors, and up to date as may be required by the state board.

(e) Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, and that he will not enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the State of California.

(f) Maintain an office and depository in the State of California or arrange with an independently owned and operated depository in the State of California to receive and fill orders for instructional materials.

For purposes of the preceding paragraph of this subdivision, "instructional materials" shall mean textbooks, or instructional materials systems or instructional materials sets which include textbooks.

For purposes of textbook purchases by governing boards pursuant to subdivision (b) of Section 60264 and Section 60401, the provisions of this subdivision shall apply to every publisher or manufacturer except one whose total orders for textbooks from all governing boards in California under any section of this division are or will be, for the particular school year, less than 1,000 copies of any single title or less than 10,000 copies of multiple titles.

(g) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the governing board in the amount of three times the total sum which the publisher or manufacturer was paid in excess of the price required under subdivisions (a) and (b) and (e), and in the amount of three times the total value of the instructional materials and services which the governing board is entitled to receive free of charge under subdivision (c).

(Enacted by Stats. 1976, Ch. 1010.)

Application of Section 60061

60062. The provisions of Section 60061 shall apply to the purchase of instructional materials under Sections 18132 and 18171.

(Enacted by Stats. 1976, Ch. 1010.)

Order to Cease to Offer or Sell Instructional Materials

60063. Any governing board shall order any publisher or manufacturer who violates any provision of this division to cease to offer or sell any instructional materials to that governing board. If such an order is made, it shall be unlawful for such publisher or manufacturer to sell instructional materials to that governing board until such publisher or manufacturer has demonstrated, to the governing board which made such order, that it is no longer violating the specified provision of this part.

(Enacted by Stats. 1976, Ch. 1010.)

60200. The state board shall adopt instructional materials for use in kindergarten and grades 1 through 8 for governing boards, subject to Section 60265 and to the following provisions:

(a) At least biennially, adoptions shall be made for all applicable levels for the following categories: (1) language arts, (2) mathematics, (3) reading, (4) science, (5) social science, (6) bilingual or bicultural subjects, and (7) any other subject, discipline, or interdisciplinary areas for which the state board may determine the need and desirability for instructional materials to promote the maximum efficiency of pupil learning.

(b) While categories may be designated to be adopted in alternate years, the state board shall adopt not less than five but no more than 15 of any of the following for basic instructional materials in each subject in each grade: (a) instructional materials, (b) instructional materials systems, (c) instructional materials sets, and, (d) a combination of instructional materials, instructional materials systems, and instructional materials sets, as the state board may select. However, less than five items per subject, per grade may be adopted when the state board establishes that adequate materials are not available for certain grades and subjects. The state board shall not adopt more than two instructional materials sets for each subject in each grade.

Nothing in this subdivision shall limit the authority of the state board to adopt materials which are not basic instructional materials, and the adoption of those materials shall not be governed by the maximum and minimum limits specified by this subdivision.

(c) In the event that a district board establishes to the satisfaction of the state board that the state-adopted instructional materials do not promote the maximum efficiency of pupil learning in the district, the state board shall authorize that district board to use its instructional materials' allowances to purchase materials as specified by the state board, in accordance with standards and procedures established by the state board.

(d) The state board shall establish procedures to provide the most open and flexible submissions, as to timing and processing, to provide collections of instructional materials which, when taken as a whole, illustrate diverse points of view; represent cultural pluralism and provide a broad spectrum of knowledge, information, and a cross section of opinions; and allow for a combination of approaches and media to best meet the goals of a program and the needs of pupils.

(e) Upon making an adoption, the state board shall make available to listed publishers and manufacturers and all school interests a listing of instructional materials, including the most current unit cost of such materials as computed pursuant to subdivision (b) of Section 60222 and Section 60223. Items placed upon lists shall remain thereon, and be available for procurement through the state's systems of financing, for a period of not less than four years following the date of initial use as established pursuant to subdivision (i). All previous adoptions shall be integrated on lists and made available by subject and level.

(f) The state board may approve multiple lists of instructional materials, without designating a grade or subject, and the state board may designate more than one grade or subject whenever the state board designates that a single subject designation or a single grade designation would not promote the maximum efficiency of pupil learning. Any materials so designated may be placed on single grade or single subject lists, or multigrade or interdisciplinary lists, or may be placed on separate lists including other materials with similar grade or subject designations; however, all materials so designated shall be adopted subject to the limitations of subdivision (b).

(g) A composite listing in the format of an order form may be used to meet the requirements of this section.

(h) The lists maintained pursuant to this section shall not be deemed to control the use period by any local district.

(i) The state board shall, at the time of initiating the call for bids for instructional materials, establish the date upon which such state-adopted materials shall initially be available for use by the pupils.

Biennial List of Instructional Material; Powers

60201. In approving and maintaining lists of adopted instructional materials at least biennially, the state board shall, pursuant to subdivision (e) of Section 60200, do any one or more of the following, when applicable:

(a) Retain any instructional materials from a previous list and biennially make any adjustment in prices based on information provided pursuant to Section 60223.

(b) Delete from the lists any instructional material which it determines is obsolete pursuant to Section 60500, or which received no order from any district board during the previous biennial period.

(c) Add instructional materials not previously submitted for adoption, or materials previously submitted which have been revised to comply with any recommendations of the state board.

(Amended by Stats. 1977, Ch. 36.)

Public Inspection of Textbooks

60202. Before final adoption of any instructional materials not currently listed, the state board shall make any instructional materials proposed for adoption available for public inspection for not less than 30 days at display centers designated by the Superintendent of Public Instruction. There shall be an adequate distribution of display centers throughout the state.

(Amended by Stats. 1977, Ch. 36.)

60206. The state board may adopt appropriate regulations to implement this chapter. These regulations may include a procedure to review district invoices for instructional materials purchases made pursuant to subdivision (b) of Section 60242.

Submission of Specifications and Price Schedules

60222. Publishers and manufacturers shall, at a time designated by the state board, submit the following information:

(a) Detailed specifications of the physical characteristics of such material. Such specifications shall be complied with by the publisher or manufacturer if the material is adopted and purchased in completed form by the state board or any district board. If the material is adopted under a lease contract, the Department of General Services shall follow comparable specifications in manufacturing the material. Changes in specifications may be made when approved by the state board and the publisher or manufacturer.

(b) A price schedule for the sale of completed materials to the state, including all costs of transportation pursuant to subdivision (a) of Section 60061, a statement of the cost to the State of California of purchasing a single unit of each item of instructional material, and any discounts for quantity purchases and any discounts for payment within any specified period of time.

(c) A price schedule for the lease and/or purchase by the state of films, dies, and other materials to be used by the state to manufacture such materials.

(d) A price schedule of royalty costs to be paid to the publisher or manufacturer whenever the state manufactures and distributes to school districts any such materials.

(Amended by Stats. 1977, Ch. 36.)

Revisions to Price Schedules

60223. Publishers and manufacturers may biennially submit revisions to price schedules submitted pursuant to Section 60222 for purposes of subdivision (a) of Section 60201.

(Amended by Stats. 1977, Ch. 36.)

Improvement of Quality and Reliability

60226. Publishers and manufacturers shall, in accordance with rules and regulations adopted by the state board, develop plans to improve the quality and reliability of instructional materials through learner verification. Governing boards shall be encouraged to permit publishers and manufacturers to have limited access to classrooms for necessary testing and observation. Publishers and manufacturers shall provide copies of test results and evaluations made as part of learner verification at the request of any governing board.

(Enacted by Stats. 1976, Ch. 1010.)

60241. The fund shall be administered by the Department of Education under policies established by the state board. The state board shall encumber part of the fund to:

(a) Pay for the cost of royalties, warehousing, and shipping for those textbooks in the state textbook warehouse as of July 1, 1973, and adopted by the state board prior to March 7, 1973.

(b) Pay for the costs of instructional materials to be loaned to nonpublic school pupils pursuant to Section 60315.

(c) Pay for the costs of braille and large print textbooks to be furnished for visually handicapped pupils pursuant to Sections 60312 and 60313.

(d) Pay for the costs of warehousing and transporting textbooks acquired for the purposes of Sections 60281 and 60310. Such costs shall not exceed 10 percent of the cost of each textbook printed by the Department of General Services.

(e) Establish, commencing with the 1974–75 fiscal year, a reserve account, of not to exceed two hundred thousand dollars ($200,000) to pay for the cost of:

(1) Acquisition of instructional materials, including those ordered for purchase by persons and entities pursuant to subdivisions (a) and (b) of Section 60310.

(2) Replacement of instructional materials obtained by a school district with its credit or allowance, which are lost or destroyed by reason of fire, theft, natural disaster, or vandalism.

60242. After the application of Section 60241, the state board shall encumber the balance of the fund for the purpose of:

(a) Establishing credits and cash allotments as follows:

(1) The state board shall establish a credit for each district board with which instructional materials adopted by the state board may be ordered by districts which choose to order materials through the state.

(2) The state board shall establish a cash allotment in an amount determined by the state board for use in purchasing instructional materials from any source, or for the purchase of tests or in-service training pursuant to Sections 60224 and 60225.

The state board shall specify the percentage of a district board's credit authorized to be used for each of the above purposes.

(b) Establishing an allowance for each district board, which the district board may use for the following purposes:

(1) To purchase instructional materials adopted by the state board.

(2) To purchase instructional materials from any source.

(3) To purchase tests or in-service training pursuant to Sections 60224 and 60225.

The state board shall specify the percentage of a district board's allowance authorized to be used for each of the above purposes.

Allowances established for school districts pursuant to this section shall be apportioned to districts as part of the special purpose apportionment in accordance with paragraph (5) of subdivision (a) of Section 14041.

The Superintendent of Public Instruction may establish a date each fiscal year by which districts shall notify the State Department of Education of their decision to operate under this subdivision.

(c) Obtaining instructional materials in subsequent fiscal years.

60242.1. In establishing the credits and allowances authorized by Section 60242, the state board may take into consideration estimated increases or decreases in average daily attendance for the year in which the instructional materials will be used.

60242.5. Allowances received by districts pursuant to subdivision (b) of Section 60242 shall be deposited into a separate account as specified by the Superintendent of Public Instruction. These allowances, including any interest generated by them, shall be used only for the purchase of instructional materials, tests, or in-service training pursuant to subdivision (b) of Section 60242. Interest posted to the account shall be based upon reasonable estimates of monthly balances in the account and the average rate of interest earned by other funds of the district.

All purchases of instructional materials made with funds from this account shall conform to law and the applicable rules and regulations adopted by the state board, and the district superintendent shall provide written assurance of such conformance to the Superintendent of Public Instruction. Commencing September 1, 1984, the Superintendent of Public Instruction may withhold the allowance established pursuant to Section 60242 for any district which has failed to file a written assurance for the prior fiscal year. The Superintendent of Public Instruction may restore the amount withheld once the district provides the written assurance.

The Department of Finance, in cooperation with the State Department of Education, shall include procedures to review compliance with this section in its independent audit instructions.

60243. District boards ordering instructional materials from lists adopted by the state board pursuant to subdivision (a) of Section 60242 shall have deducted from their credit a unit cost based on the information provided by publishers or manufacturers pursuant to subdivision (b) of Section 60222.

60263. District boards may order state-adopted textbooks and instructional materials on forms prescribed by the State Department of Education. The forms shall include, or be accompanied by, information concerning the grade or grades and subject or subjects for which each instructional material is intended, and the unit cost of the material, as computed pursuant to Section 60243, which will be deducted from the credit of the district when ordered.

60264. (a) All district orders made pursuant to subdivision (a) of Section 60242 for state-adopted instructional materials shall be forwarded as directed by the Superintendent of Public Instruction for procurement of such materials in the most economical and timely manner pursuant to Article 5 (commencing with Section 60280) of this chapter. However, in cases where the district does not qualify as a city school district and is an elementary district with fewer than 901 average daily attendance or a unified district with fewer than 1,501 average daily attendance, the county superintendent of schools shall approve the orders for instructional materials by the districts before forwarding as directed by the Superintendent of Public Instruction.

(b) All district orders for instructional materials not adopted by the state shall be placed directly with the publisher or manufacturer at any of its offices in the State of California or at any publishers' or manufacturers' depository in the State of California, except that all district orders for instructional materials other than textbooks, and other than instructional materials systems and instructional materials sets which include textbooks, may be placed directly with the publisher or manufacturer. The provisions of this paragraph with respect to the purchase of textbooks are subject to the numerical limitations of subdivision (f) of Section 60061.

60280. The state board shall cause to be acquired and distributed any instructional materials ordered by district boards pursuant to subdivision (a) of Section 60242.

60285. The state board, in order to procure textbooks, shall tabulate all orders for each textbook title received from school districts and nonpublic school pupils pursuant to subdivision (a) of Section 60243. The Department of General Services shall select from the tabulation those titles which can be manufactured by that department at a unit cost lower than that specified in the price schedule submitted by the publisher or manufacturer pursuant to subdivision (b) of Section 60222 and which that department can complete manufacture of in time to permit delivery to the school districts and nonpublic school pupils prior to the opening of school in the year in which the textbooks are to be used.

ATTACHMENT #3

INSTRUCTIONS FOR COMPLETION AND SPECIMEN COPIES OF FORM CFIM-2

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

LIST OF INSTRUCTIONAL MATERIALS SUBMITTED FOR CALIFORNIA STATE ADOPTION

CFIM 2 (7/91)

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PAGE | OF

NOTE: If necessary, reproduce this page to meet your needs. (White paper only)

RETURN TO: CALIFORNIA STATE DEPARTMENT OF EDUCATION
Curriculum Frameworks and Instructional Materials Section
721 Capitol Mall
Sacramento, CA 95814

OFFICIAL ADDRESS: MAILING ADDRESS | TELEPHONE NO. ( )
CITY | STATE | ZIP

CONTACT PERSON: NAME | TELEPHONE NO. ( )
ADDRESS
CITY | STATE | ZIP

PUBLISHER/PRODUCER | PUB./PROD. CODE—(LEAVE BLANK)

SUBJECT | SUBJECT CODE

DEPARTMENT USE ONLY

ENTRY INSTRUCTIONS

1) SERIES NAME—(Maximum of two lines, 43 spaces each; this entry to be all capital letters. All remaining entries to be upper and lower case)
2) AUTHOR—(max. 40 spaces)
3) TITLE—(max. 42 spaces)
4) INDIVIDUAL ITEMS—(max. 40 spaces per line)

SEQUENCE ITEM	SEQUENCE I/N	ADOPTION CODE NO.	ENTRY INSTRUCTIONS	SPECIAL SITUATIONS (See below for code definition) R	A	C	PUBLISHER'S ISBN	COPYRIGHT (YR)	GRADE LEVEL(S)	NET PRICE PER COPY	DEPT USE ONLY CODES IDENT	I/P	P/Y	ACD
			1											
			2 by											
			3											
			4											

CERTIFICATION—I certify that each item of the instructional materials listed on this form has been reviewed by a panel of qualified persons and found to be in accordance with the legal requirements of California

NAME (Please Type or Print) | TITLE

SIGNATURE (Required) | DATE

SPECIAL SITUATIONS—Enter the appropriate letter(s) when:

R—RESUBMISSION—The item is in adoption but going out within the next year. (Not for a new edition)

A—ALTERNATE FORMAT—Two or more items are identical in content but different in physical format (soft/hard

C—COMPONENT—Identical components are listed in more than one packaging combination.

INSTRUCTIONS FOR COMPLETING FORM CFIM-2*
"List of Instructional Materials Submitted
For California State Adoption"

The State of California uses a data processing system for recordkeeping and report generation in the adoption process. To assist us in this effort, please complete your adoption submission list (Form CFIM-2) in accordance with the following instructions and samples:

1. Publisher/Producer:

   Enter Publisher/Producer Name

2. Publisher/Producer Code:

   Leave Blank

3. Subject: See instructions for Part 4, "Subject Code"

4. Subject Code:

   Enter the proper subject name and corresponding code from the following list:

Subject	Subject Code
Music	07
Foreign Language	10
English As A Second Language	11
Bilingual Bicultural	12
Art	13

   Do not put more than one subject name and corresponding subject code number per page. If you are submitting items in more than one subject area, use separate sheet(s) for each different subject area. Remember, a single item can not be submitted in more than one subject area.

5. Official Address:

   Enter the company's legal address. This will usually be the "home office" address. The Department of Education will use this address as the official mailing address of the Publisher/Producer. Please include your telephone number. Unless instructed otherwise (in writing), all bids, contracts, and similar action items will be sent to this address.

*You may reproduce the CFIM-2 to meet your needs for submission. Please use white paper only. If you do reproduce the form, take care not to leave off the first or last column; these are essential for department use.

6. Name and Address of Contact Person:

This space is to be completed if a Publisher/Producer would like all correspondence sent to a person within the company who normally handles the California adoption. Examples of contact persons might be a west coast representative or salesperson, adoption coordinator, marketing manager, etc. Please put only one name and address in this space. Please include a telephone number.

If this space is not filled out, we will address all correspondence to the person who signs the Form CFIM-2 at the address listed under Official Address.

7. Sequence:

Leave Blank

8. Adoption Code Number:

Leave Blank. A number will be assigned by the State Department of Education.

9. Entry Instructions:

Enter the series, title, author(s), and physical description of each basic item as you would like it to appear on the order form that will be produced after adoption of the State Board. Please refer to the samples at the end of these instructions for illustrations of how this section should appear. Do put the information required in the same format, i.e., use of capitals, identification of authors, and indentations as the sample.

Also please note:

a. List all materials you want considered for adoption or readoption, including those which will bear a 1984 or later copyright. Also, list any ancillary materials you wish to submit. Materials currently in adoption which do not appear on this form will not be considered for readoption.

b. Be sure to type within the column margins and limit your line length to a maximum of 38 characters. This will aid the Department when information on your materials is entered in the computer.

c. If listing a series or program, start with series title in all capital letters, and then the author; then list the individual titles or parts of the program in upper and lower case letters. After listing an individual title, state whether it is a student edition, teacher edition, duplicating masters, etc. (See examples at end of instructions.) Keep all parts of a program together.

d. Do not list more than one program or parts of different programs on a single page.

e. Specify the physical nature of the item (i.e., consumable/nonconsumable: softbound consumable; softbound nonconsumable; hardbound nonconsumable) or audiovisual format. Keep your description as brief as possible; limit it to physical descriptions, and do not editorialize. Use the illustrated samples at the end of these instructions as a guide. You will have an opportunity to describe your material more completely in the "Program Description," (Attachment 5).

10. Special Situations:

Use this column to alert the Department of special situations, such as resubmissions, alternate formats, and duplicate components:

If an item is currently in adoption and the adoption period is scheduled to end in 1985, the item may be resubmitted. If you are resubmitting an item, please identify it by placing the letter R in this column. Remember, if a currently adopted item has been significantly revised, it is considered to be a new item. If an item is in adoption now but is not scheduled to come out of adoption until after 1985, do not resubmit it at this time.

If two or more submitted items are identical in content but different in physical format (softcover/hardcover, record/cassette, modular/-combined workbook/spirit masters, etc.), please list the alternate format directly below the primary item, and note both items with an A in this column.

Components which are listed on the submission list in two or more packaging combinations (such as study prints which are sold by themselves or as part of a larger kit) should be labeled in this column with a C. List all components directly below the item it is packaged in.

11. Publisher's ISBN

Each item submitted MUST have an International Standard Book Number. Enter the ISBN for each item in this column. If you do not presently have an ISBN, leave the column blank and have an ISBN assigned by the time formal price quotations are submitted. If you need assistance contact the CFTD Office.

12. Copyright (Year):

Enter the last two digits of the copyright year.

13. Grade Level:

Indicate the grade level(s) for which the item is intended.

14. Net price per copy:

    Enter the current catalog price per copy. This price is for information only (e.g., for making rough comparison cost estimates); do not include tax or transportation costs. At the time of the request for price quotations, you will be required to submit a firm price which will include tax and transportation costs.

15. For Department use only:

16. Type: Leave Blank

17. P/T: Leave Blank

18. ACD: Leave Blank

CFIM-2 Form
General Completion Instructions (continued)

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Item 1 SERIES NAME
- Fill out only once per series.
- End each series with a corma.

Item 2 AUTHOR
- If a series has multiple authors, use the first author's name followed by "and others".

Item 3 TITLE
- Your section denotation within a series.
- Go to a new page whenever Item 3 (TITLE) changes.

Examples for Items 1-3

Page 1 of 2

DEPARTMENT USE ONLY: ITEM	ADDITION CODE NO.	ENTRY INSTRUCTIONS: 1) SERIES NAME—(Maximum of two lines, 43 spaces each; this entry to be all capital letters. All remaining entries to be upper and lower case) 2) AUTHOR—(max. 40 spaces) 3) TITLE—(max. 42 spaces) 4) INDIVIDUAL ITEMS—(max. 40 spaces per line)	SPECIAL SITUATIONS (See below for code definition) R	A	C	PUBLISHER'S ISBN	COPYRIGHT (YR)	GRADE LEVEL(S)	NET PRICE PER COPY	DEPT USE ONLY CODES: IDENT	TYPE	P/Y	ACCD
		1 THE SACRAMENTO ADVANCED READING PROGRAM FOR CHILDREN-1982 Edition,													
		2 by John Edwards and others													
		3 Phonics We Use													
		4 Student Edition				0-123-34567-8	82	K-1	2.66						
		Student Edition-Spanish		A		0-123-34569-0	82	K-1	2.66						
		Teacher Edition				0-123-34568-9	82	K-1	3.99						

Page 2 of 2

DEPARTMENT USE ONLY: ITEM	ADDITION CODE NO.	ENTRY INSTRUCTIONS: 1) SERIES NAME—(Maximum of two lines, 43 spaces each; this entry to be all capital letters. All remaining entries to be upper and lower case) 2) AUTHOR—(max. 40 spaces) 3) TITLE—(max. 42 spaces) 4) INDIVIDUAL ITEMS—(max. 40 spaces per line)	SPECIAL SITUATIONS (See below for code definition) R	A	C	PUBLISHER'S ISBN	COPYRIGHT (YR)	GRADE LEVEL(S)	NET PRICE PER COPY	DEPT USE ONLY CODES: IDENT	TYPE	P/Y	ACCD
		1													
		2 by													
		3 Vowel Sounds													
		4 Student Edition				0-123-34570-1	82	2-3	3.44						
		Student Edition-Spanish		A		0-123-34572-3	82	2-3	3.99						
		Teacher Edition				0-123-34571-2	82	2-3	4.53						

CFIM-2 Form
General Completion Instructions

Abbreviations

When it is necessary to abbreviate, use the following abbreviations only:

Word	Abbreviation
cassettes	cass.
consumable	cons.
duplicating masters	DM
blackline duplicating masters	BLM
spirit duplicating masters	SDM
grade	gr.
hardbound	HB
softbound (non-consumable paperbound)	SB
level	lev.
skillbook	sbk.
workbook	wbk.
volume	v.

If you need to abbreviate a word that is not listed above, use the same abbreviation for the word throughout the CFIM-2 Form.

If you have any questions regarding the completion of the CFIM-2 Form, please call Inez McBroom at (916) 323-2592.

CFIM-2 Form
General Completion Instructions (continued)

BEST COPY AVAILABLE

Examples for Item 4

DEPARTMENT USE ONLY: ITEM	ADOPTION CODE NO.	ENTRY INSTRUCTIONS: 1) SERIES NAME—(Maximum of two lines, 43 spaces each; this entry to be all capital letters. All remaining entries to be upper and lower case) 2) AUTHOR—(max. 40 spaces) 3) TITLE—(max. 42 spaces) 4) INDIVIDUAL ITEMS—(max. 40 spaces per line)	SPECIAL SITUATIONS (See below for code definition) R	A	C	PUBLISHER'S ISBN	COPYRIGHT (YR)	GRADE LEVEL(S)	NET PRICE PER COPY	DEPT USE ONLY CODES: IDENT	TYPE	P/T	ACD
		1 THE SACRAMENTO ADVANCED READING PROGRAM FOR CHILDREN-1982 Edition,											
		2 by John Edwards and others											
		3 Phonics We Use											
		4 Student Edition				0-123-34567-8	82	K-1	2.66				
		Student Edition-Spanish		A		0-123-34569-0	82	K-1	2.66				
		Teacher Edition				0-123-34568-9	82	K-1	3.99				

DEPARTMENT USE ONLY: ITEM	ADOPTION CODE NO.	ENTRY INSTRUCTIONS: 1) SERIES NAME—(Maximum of two lines, 43 spaces each; this entry to be all capital letters. All remaining entries to be upper and lower case) 2) AUTHOR—(max. 40 spaces) 3) TITLE—(max. 42 spaces) 4) INDIVIDUAL ITEMS—(max. 40 spaces per line)	SPECIAL SITUATIONS (See below for code definition) R	A	C	PUBLISHER'S ISBN	COPYRIGHT (YR)	GRADE LEVEL(S)	NET PRICE PER COPY	DEPT USE ONLY CODES: IDENT	TYPE	P/T	ACD
		1 READING ACHIEVEMENT PROGRAM,											
		2 by George Brown											
		3 Setting Goals-Grades K-3											
		4 Complete Set				2-567-74748-9	80	K-3	29.00				

DEPARTMENT USE ONLY: ITEM	ADOPTION CODE NO	ENTRY INSTRUCTIONS: 1) SERIES NAME—(Maximum of two lines, 43 spaces each; this entry to be all capital letters. All remaining entries to be upper and lower case) 2) AUTHOR—(max. 40 spaces) 3) TITLE—(max. 42 spaces) 4) INDIVIDUAL ITEMS—(max. 40 spaces per line)	SPECIAL SITUATIONS (See below for code definition) R	A	C	PUBLISHER'S ISBN	COPYRIGHT (YR)	GRADE LEVEL(S)	NET PRICE PER COPY	DEPT USE ONLY CODES: IDENT	TYPE	P/T	ACD
		1											
		2 by											
		3 Individual Components-Grade K											
		4 Student Edition			C	2-567-7442-9	80	K	2.47				
		Big Book		A	C	2-567-7452-9	80	K	10.00				
		Teacher Guide			C	2-567-7449-3	80	K	3.99				

R—RENEWAL—Enter the appropriate letter(s) when:

[illegible]—The item is in adoption but going out within the next year. A—ALTERNATE FORMAT—Two or more items are identical C—COMPONENT—Identical components are listed in more

Item 4 INDIVIDUAL ITEMS

- List here all items corresponding to the section denotation on Item 3 (TITLE).
- If you have more than sixteen INDIVIDUAL ITEMS for a section, go to a new page but leave Items 1, 2 and 3 blank.
- Alternate format items must be listed immediately following the basic items for which they are alternates.
- List package component items that are being submitted as separate items immediately following the listing of the complete package item.
- If applicable, note the "Special Situations" box with the appropriate letter.
- List the ISBN for the item.
- List the copyright date for the item.
- List the grade level for which the item is intended. Use K through 8 grade notations only. DO NOT list level as "PP", "R", etc. DO NOT list grade level with a sublevel notation such as "3^2." Grade level may be noted as multigraded.
- Enter the expected cost of the item at the time of adoption.

ATTACHMENT #4

REQUIREMENT FOR INTERNATIONAL STANDARD BOOK NUMBER (ISBN)

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

REQUIREMENT FOR INTERNATIONAL STANDARD BOOK NUMBER (ISBN)

International Standard Book Numbers are required on all pupil materials.

For specific information regarding assignment and use of ISBNs, please contact:

Mr. Emery Koltay
Director, ISBN Agency
R. R. BOWKER COMPANY
1180 Avenue of the Americas
New York, NY 10036

(212) 764-5100

ATTACHMENT #5

INSTRUCTIONS FOR COMPLETING PROGRAM DESCRIPTIONS, WITH SAMPLE DESCRIPTION

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

INSTRUCTIONS FOR COMPLETING PROGRAM DESCRIPTION

Write or type descriptions on 8-1/2 x 11 inch paper, using only one side. Description should be typed in a horizontal format, doubled spaced. The following information should be included:

Publisher, Program Title and Copyright: (i.e., Around the World Publishing Company, Speaking Italian, 1983.)

General Description: Provide an overview of the program, including: general purpose of program; intended audience (general or target);learner goals and objectives, physical description of components and their relationship to program; any specialized use (i.e., individualized instruction); any possible implementation problems.

Learner Goals and Objective: Describe the overall goals of the textbook and the student objectives to be achieved.

Organization: Provide a description of content organization; scope of content; and sequence in which content is treated within each level and from level to level. Is content organized topically, chronologically, conceptually or in some other manner? What subject matter, skills, and attitudes are emphasized.

Textbook/Workbook: Describe the organization of the textbook; list major sections and student activities for the review and reinforcement of skills and content.

Methodology: Describe the principal teaching strategies and techniques recommended for, or inherent in, the materials. What specific provisions are made for individualizing instruction—pacing, content differentiation, or learning styles?

Provisions for Student Evaluation: Describe materials provided for student evaluation in student textbooks, teacher materials, and in separate adopted components. Are the tests designed for pre-, or post-, or interim-testing? Is management system included in the materials? Does the assessment program include all major stated program goals.

Teacher Guide/Edition: Describe the format; list major sections.

Related Materials: List any materials directly related to the program that have not been submitted but will be available from the publisher. Also, make reference to related adopted programs.

Implementation Requirements: List any activities necessary to implement the program.

Readability Information: On a separate sheet list the readability for each student textbook. The format is as follows:

Title	Grade Level	Readability	Scale Uses
(for each student textbook in series)		(range or average may be used)	

Around the World Publishing Company, Speaking Italian, C. 1983

GENERAL DESCRIPTION:	An interdisciplinary foreign language series which emphasizes effective communication through the language and appreciation of the similarities and diversion of languages, cultures and value systems within the United States and throughout the world. A teacher's edition is available for each text as well as duplicating masters which develop skills and concepts and tests.
LEARNER GOALS AND OBJECTIVES:	The goals of the program are to help students to develop effective communication in the language as well as an appreciation of cultures and values systems in the United States and throughout the world.
ORGANIZATION:	Materials are designed to be used sequentially in the development of language skills in appropriate increments and in transition from level to level. The materials reflect the philosophy, goals and objectives as expressed in the Foreign Language Framework for California Public Schools: Kindergarten Through Grade Twelve, 1980 .
TEXTBOOK/WORKBOOK:	The textbook is divided into ten units with five lessons per unit. Each lesson provides for review and reinforcement of skills and student exercises in reading and writing Italian. The textbook contains an appropriate English-Italian and Italian-English dictionary. A workbook is available.
METHODOLOGY:	Students have the opportunity to participate in a variety of activities which encourage communication of ideas and interests through songs, games, plays, skits, stories, poems, improvisations and simulations using the language in culturally authentic situations.
PROVISION FOR STUDENT EVALUATION:	Test booklets provide for evaluative testing. There are separate components for listening, speaking, reading and writing skills.

TEACHERS GUIDE/ EDITION:	Teachers edition provides for a variety of classroom strategies including role playing and use of community resources. Provides techniques for practice in listening, speaking, reading and/or writing skills as appropriate to the learner, and simulation for experiencing both the "deep" and "surface" elements of the culture being studied.
RELATED MATERIALS:	Simulation, enrichment, visual and auditory materials are available.
IMPLEMENTATION REQUIREMENTS:	Inservice Training is recommended.

ATTACHMENT #6

LEGAL COMPLIANCE (SOCIAL CONTENT) STANDARDS

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

STANDARDS FOR EVALUATION OF INSTRUCTIONAL MATERIALS WITH RESPECT TO SOCIAL CONTENT

1982 Edition

Prepared by the
Curriculum Frameworks and Instructional
Materials Unit

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig, Superintendent of Public Instruction
Sacramento, 1983

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1982

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STANDARDS FOR EVALUATION OF INSTRUCTIONAL MATERIALS WITH RESPECT TO SOCIAL CONTENT

Need for Compliance Review

It is generally recognized that the interests, prejudices, and ideas children develop as they mature are influenced directly by everything they see and hear. They tend to dream of and aspire to those goals they are encouraged to attain. Their exposure to various influences can make the world seem expansive and filled with exciting and infinite possibilities, or frustrating and filled with apparent limitations. Since much of a child's early development takes place in school, instructional materials used there will very likely contribute to the positive or negative effect of the school experience. The Legislature recognized the vital role of instructional materials in the formation of a child's attitudes and beliefs when it adopted Education Code Sections 60040 through 60044 (see pages 26-27).

In addition to providing positive experiences and encouraging aspirations unlimited by narrow and stereotyped portrayals, instructional materials should also provide an image of a pluralistic, multicultural society in which any member of any cultural group is looked upon as an individual, not just as a member of a group. In their contacts with others, as well as through the popular media and instructional materials, children are exposed to European Americans in many varied roles, both positive and negative. Because they are therefore more likely to judge European Americans as individuals, any adverse portrayal is generally perceived to be limited to the individual in question. In contrast, social contacts, media, and instructional materials may limit minorities, females, and aged and handicapped persons to stereotyped roles, with the result that they are often judged as groups. The Education Code sections referred to in this document were thus also intended to help dispel the erroneous stereotypes by emphasizing portrayal of members of these groups in diverse, positive, and contributing roles that underscore the multiethnic, multiracial, pluralistic society in which we live. Neither adverse reflections nor inappropriate portrayals may be allowed to occur in instructional materials to be used by pupils in California public schools.

Purpose of Standards

The laws as written require that instructional materials portray accurately the cultural and racial diversity and the male and female roles in our society, and the contributions of minority groups and males and females to the development of United States and California society. These requirements imply that instructional materials must also help students to understand both the historical roles and contributions of women and minorities in other societies, the forces which shaped those roles and contributions, and how and why the contemporary American roles and contributions of women and minorities are different from those at other times and in other cultures.

Because of the very large number of instructional materials submitted for use in California public schools, many evaluators are needed to review these materials for compliance with the various social content requirements specified in the Education Code. Evaluators must of necessity apply their individual

judgments as to whether materials do in fact comply; it would be impossible to supplant such judgment with written specifications. The purpose of this document is rather to provide reasonable, systematic standards upon which evaluators may base their judgments, so that the results of the evaluation process will be as nearly consistent, and therefore as equitable, as possible.

Special Circumstances

1. Categories added by Board policy. Education Code Sections 60040 through 60044 do not include reference to age, disability, brand names, or nutrition. The standards in these areas represent policies of the State Board of Education, and as such must also be considered by reviewers for compliance approval. Policy areas are identified by date of Board approval instead of statutory code sections.

2. Teacher materials. Evaluators must use these standards for reviewing both student material and teacher material. Two considerations are especially important in connection with teacher material: (1) in no case may instructions in a teacher edition designed to counteract noncompliant pictures or text in a pupil edition be given any weight in the evaluation of the pupil edition; and (2) instructions to the teacher for pupil activities that could reasonably be expected to cause adverse reflection or represent roles inaccurately must be considered noncompliant even though they are not seen by the student.

3. Literary, historical, and cultural perspectives. When examining an instructional material for adverse reflection or roles, an evaluator must make a qualitative judgment with respect to classical or contemporary literature (including folk tales), music and art, or stories or articles having a particular historical or cultural perspective. In such cases, it may be inappropriate to require complete compliance with these guidelines.

   What might be considered adverse reflection or failure to portray appropriate roles should be judged in the appropriate context. The material should be examined for answers to such questions as these: Does it contain appropriate explanations of the reasons for the offenses? Is there discussion of the issues involved? Is there a description of attitudes prevalent during a certain period of history or now prevalent in the particular culture or country depicted? In such a situation, however, discussion material should be included in the pupil edition indicating that, for example, although a particular attitude toward women or a minority group was prevalent during a certain period in history, or is prevalent in the particular culture or country depicted, that attitude has changed, or is in the process of change, or does not occur in the contemporary United States, as appropriate. The instructional material should be considered noncompliant regarding adverse reflection only if, on the basis of the totality of its presentation, including explanations and discussions included in pupil material, the material would, in the mind of the average student for whom it is intended, reflect adversely upon a person because of race, color, creed, national origin, ancestry, age, sex, occupation, or physical handicap. In the same way, it should be considered noncompliant regarding roles in United States and California society only if no adequate

discussion occurs concerning cultural and historical roles as distinct from roles as they exist, or as they are becoming, in contemporary society. This is true even considering that social reality today does not always comply with current laws and public values.

4. Reference to humans. Materials need not include references to human beings. For instance, math problems described solely in abstract terms or stories about animals without human attributes are perfectly acceptable in instructional materials but are outside the scope of these standards. Additionally, materials that contain references to children need not include references to adults, even though this omission may limit the scope of the roles and contributions that can be presented.

5. Special purpose--limited portrayals. Several kinds of circumstances make it necessary to modify specified requirements regarding proportion and balance of portrayals. These circumstances do not obviate the need for careful review for adverse reflection or derogatory references, but they do make it difficult to achieve the usual kind of required balance.

   a. Narrow focus--limited scope and content. In determining how to apply the guidelines to a given piece of material, an evaluator must consider the number of characters presented and the relationships among them. For example, if a material includes only three or four main characters, or if all of the main characters are members of the same family, it will obviously be unrealistic to expect portrayal of a wide diversity of ethnic groups or roles and contributions. In the same way, if the setting is restricted to a limited locale, such as an inner city ghetto or a sparsely settled desert region, the possibilities for showing a wide range of socioeconomic groups in a wide range of activities are necessarily limited. Materials with a narrow focus and/or limited portrayals should be clearly identified as such so that no false impressions are conveyed.

      This is not to say that an indefinite number of limited-character and limited-local selections can be used to make up a total adoption. Portrayal of diversity requires portrayal of interactions among various groups, under various conditions. Limited portrayals can accomplish only a small part of the total purpose. Publishers should, whenever possible, include limited-purpose portrayals in series covering a number of such portrayals, thus emphasizing diversity as well.

   b. Infrequent use. The materials are designed to be used infrequently--example: a test to be administered only two or three times a year.

   c. Small group. The materials are part of a small group of materials designed for a special purpose--example: an enrichment series of pamphlets with less than eight pamphlets per grade level.

   d. Audience. The intended audience is other than students--example: parents.

Basic textbooks, workbooks and practice books, and other materials that constitute the core of any basic program, or that are not included in any of the categories listed above, will not qualify as "Special Purpose" materials, but must be reviewed for proportion and balance of portrayals.

6. Series. When conducting a compliance review of a series of instructional materials designed to be used as a basic program, an evaluator must judge each component individually, without regard to the content of any other component. However, it is important to consider certain exceptions detailed in Special Circumstance #5 (above).

7. Purpose and method. The discussion of each social content area begins with a statement of the purpose of the statute or policy defining that area, followed by a description of the method by which the purpose may be accomplished. These statements of method are not intended to be all-inclusive, since there can be many ways to arrive at the same result. They usually represent the most direct and most commonly used methods in that area, but an evaluator should carefully consider any other method employed to determine if it does indeed accomplish the stated purpose and meet the specified standards.

8. Varying levels of compliance requirements. The standards established fall into two classes: those which require strict compliance and those which must comply "to a reasonable degree" or "when appropriate." The difference lies in the nature of the standards; some lend themselves to clear-cut distinctions which are relatively easy to make, while others require more subjective judgments based on interpretations of words like "fair," "reasonable," and "balance." The nature of each standard is clearly identified in the text.

Male and Female Roles

Education Code Sections 60040(a) and 60044(a)

Purpose To promote the individual development and self-esteem of each pupil, regardless of gender.

Method By portraying people of both sexes, or animals having identifiable human attributes, in the full range of their human potential in all societal roles.

Applicability of Standards All of the following standards apply to all instructional materials that depict contemporary United States or California society or any unidentifiable society. In addition, Standard #1 applies to all materials that depict any society outside the United States, but subject to Special Circumstance #3 (pages 2-3.)

The standards requiring compliance "to a reasonable degree" are each labeled with the same number, followed by an alphabetical sequence. Their degrees of compliance are determined separately for each. Every standard must be met "to a reasonable degree," and the aggregate of them all must leave an impression of a "reasonable degree" of compliance.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders which tend to demean, stereotype, or patronize males or females because of their sex must not appear.*

   Examples of questions to be asked: Are members of one sex portrayed as inferior in intelligence, talent, or character to persons of the other sex? Is it implied that members of one sex are incapable of handling problems or situations without help from members of the other sex? There may be individual characters inferior in some ways to other characters who happen to be of the opposite sex, and there may be characters who need help in some situations from someone of the opposite sex, but there must be no implication that their inferiority or their need for assistance is because of their sex.

   Remarks and descriptions disparaging to people because of their sex, such as "old maid," "fishwife," "dumb broad," "woman driver," "she's only a girl," "male chauvinist pig," "dumb jock," "hairy ape," or "what do you expect from a man?" constitute adverse reflections, and materials containing such remarks are not in compliance.

2. Equal portrayal. *Instructional materials containing references to, or illustrations of, people must refer to or illustrate both sexes approximately evenly, in both number and importance, except as limited by accuracy or special purpose.*

   This standard applies to any materials in which the gender of persons is referred to or illustrated, whether incidental to the purpose of the material or not. Counting portrayals alone is not sufficient

to judge compliance with this standard; but a quantitative assessment could help to determine "approximately even" numbers of portrayals. In addition, evaluators must make a qualitative judgment concerning the relative importance or impact of those portrayals. For example, an illustration within a story of a female in a highly nontraditional occupation might be considered to have as much impact as a short story containing two male characters. Furthermore, a story on women in sports could not be expected to refer to men, nor could a story on men who have won Olympic medals in running be expected to discuss individual women runners. In dealing with instances like these, however, evaluators should keep in mind Special Circumstance #5 (page 3).

Standards requiring compliance to a reasonable degree

3a. Occupations. *If professional or executive occupations, trades, or other gainful occupations are portrayed, men and women should be represented therein approximately equally.*

The purpose of this standard is to expand the portrayal of occupational roles in order to enable children, regardless of sex, to identify with all fields of enterprise. Instructional materials should indicate an equally wide variety of vocational choices for men and women, measured by the number of vocations in which women are depicted compared to the number in which men are depicted.

Many vocations, such as medicine, law, engineering, and banking, are often portrayed as male-dominated. Others, such as nursing, teaching, and secretarial work, often show a preponderance of females. Instructional materials should not give the impression that either females or males are excluded from any particular vocation depicted. Further, if people are shown or discussed as occupying positions at different levels in a business, industry, or profession, neither sex should be represented as predominant at any level.

It could draw ridicule from pupils to portray equal representation of males and females in the coal mines or on a high-rise construction project, because it would constitute a complete departure from the reality they see around them. But it might be very important to include a few portrayals of females, in addition to the males, in such areas so that aspiration would appear possible in spite of current reality.

In some occupations, even today, to represent both sexes would still be a distortion of reality. For one example, in major league professional baseball and football, there are no female players, managers, or coaches, although several women have become active as owners. Evaluators must exercise judgment in recognizing and allowing appropriate exceptions to this standard.

3b. Achievements. *Whenever a material presents developments in history or current events, or achievements in art, science, or any other field, the contributions of women as well as men should be included in approximately equal numbers.*

This standard is designed to prevent a continuation of the common practice of failure to give sufficient attention to the achievements of women in all fields of endeavor. Because of the bias in our culture, women have, generally, been less esteemed and less recognized in most fields than men who made comparable contributions. Yet in the development of any field, the contributions of women, as well as men, can generally be included with accuracy.

If biographies are included in the material, certainly biographies of women should be included. Materials which ignore half the population of a society are not acceptable.

3c. Mental and physical activities. *Mentally and physically active, creative, problem-solving roles, and success and failure in those roles, if such roles are depicted, should be divided approximately evenly between male and female characters.*

Examples of the roles which this standard concerns are: conducting a science experiment, participating in sports, repairing a broken object, building a bookcase, playing a musical instrument, and the like. In addition, a pattern of positive or negative results of such activities, perhaps most simply defined as success or failure, should not appear to be correlated with either sex.

3d. Traditional and nontraditional activities. *The number of traditional activities engaged in by characters of one sex should be approximately even with the number of nontraditional activities presented for characters of that sex.*

In this standard, "traditional" refers to activities which previously were often considered appropriate for persons of only one of the sexes. Examples are women cooking, sewing, or cleaning in the home; men leaving home to work downtown; boys playing baseball; or girls playing house. Instructional materials need not necessarily exclude all such activities, but they should balance them with nontraditional activities. Examples are a boy reading a book, a girl playing soccer, a woman addressing a community meeting, or a man running the vacuum cleaner at home. Whenever domestic chores or recreational activities are portrayed in the materials, members of both sexes should be included.

3e. Emotions. *Fear, anger, aggressiveness, excitement, or tenderness, and the like, should occur randomly among characters regardless of gender.*

The idea that only females cry and only males fight is an inaccurate projection of reality and results in a tendency to stereotype persons of one sex or the other with respect to their emotions. Evaluators should look carefully for any such patterns.

3f. Sexually neutral language. *"People," "persons," "men and women," "pioneers," "they" should generally be used in order to avoid the apparent exclusion of females or males.*

The standard here is basically objective. This is an appropriate question: Does the material include so many male references as to exclude females as participants in society? Evaluators should exercise discretion in determining when extenuating circumstances exist, such as necessary adherence to grammatical rules or the requirement to convey the author's intended meaning.

Ethnic and Cultural Groups

Education Code Sections 60040(b) and 60044(a)

Purpose To project the cultural diversity of our society, instill in each child a sense of pride in his or her heritage, develop a feeling of self-worth related to equality of opportunity, eradicate the bases of prejudice, and thereby encourage the optimum individual development of each pupil.

Method By including a fair representation of majority and minority group characters portrayed in a wide variety of occupational and behavioral roles, including cultural and artistic.

Applicability of Standards The word "group" as used in these standards refers generally to one of those cultural and social groups named in Section 60040: "American Indians, American Negroes, Mexican Americans, Asian Americans, European Americans, and members of other ethnic and cultural groups." Current federal and state reporting guidelines for affirmative action and other similar programs use a different type of classification. However, since any racial, ethnic, or cultural group can be fitted into those listed in the Education Code, that code section will remain the basis for implementation of these guidelines.

All of the following standards apply to all instructional materials that depict contemporary United States or California society or any unidentifiable society. In addition, Standards #1, #2, and #3 apply to all materials that depict any contemporary society outside the United States, subject to Special Circumstances #3 (pages 2-3) concerning certain perspectives regarding literature, music, art, history, or other cultures; and #5 (page 3) concerning certain kinds of limited portrayals.

When references to minority persons are omitted, their absence must be discussed and questioned in the student edition in order to make the student aware of: (1) the historical and cultural situation in which this inequality occurred, (2) the process of philosophical change and its effects on social patterns, and (3) the underlying goal of equality basic to our democratic system.

The standards requiring compliance "to a reasonable degree" are each labeled with the same number, followed by an alphabetical sequence. Their degrees of compliance are determined separately for each. Every standard must be met "to a reasonable degree" and the aggregate of them all must leave an impression of a "reasonable degree" of compliance.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders which tend to demean, stereotype, or patronize minority groups must not occur.*

References to any racial or ethnic group indicating that all or most members of that group have certain undesirable characteristics constitute adverse reflections and must not be used. Derogatory generalizations such as "savage Indian," "lazy Mexican," "miserly Jews," and "dumb Polack" fall into this category. There may be individual characters identified as members of a particular race or ethnic group who are depicted as inferior in some way to other characters who are members of other groups, but there must be no implication that their inferiority is attributable to their racial or ethnic origin.

2. Proportion of portrayals. *Instructional materials containing references to, or illustrations of, people must portray accurately the roles and contributions of a fair proportion of diverse ethnic groups, and especially those groups included in the statute (Section 60040(b)) and enumerated on page 9 of this document.*

To the extent possible, materials representing contemporary United States society must depict that society realistically, showing the multiracial, multiethnic composition of the population, except as limited by accuracy or special purpose.

"Fair proportion" in this standard is defined as a range of percentages of the total representations included based on current population for each statutorily-noted minority group. "Tokenism" for any minority group is as unacceptable in instructional materials as it is in the real world of employment.

In materials relating only to a narrow or special aspect of United States or California society, such as a book dealing solely with life in a barrio, or solely with black authors, or solely with Scandinavian immigrants to the middle west, the scope of racial and ethnic representation will be reduced accordingly (see Special Circumstance #5 on page 3).

In evaluating portrayals according to this standard, reference should be made to the standard regarding root culture (see page 12).

3. Customs and life-styles. *When diverse ethnic or cultural groups are portrayed, portrayals must not depict differences in customs or life-styles as undesirable and must not reflect an adverse value judgment of such differences.*

Diversity must be portrayed as an enriching and positive element of our society. In no manner should any other culture be represented as less worthy or less important than the culture of the majority group.

Standards requiring compliance to a reasonable degree

4a. Occupations. *If professional or executive roles, trade jobs, or other gainful occupations are portrayed, majority and minority groups should be presented therein in fair proportion.*

The purpose of this standard is to expand the portrayal of occupational roles of minorities and thus enable children to identify with any field of enterprise, regardless of their race or ethnicity.

"Fair proportion" in this standard is defined as a range of percentages of the total representations included, based upon current population. The number of adult minority characters and majority characters portrayed as professionals or executives, or as working in whatever occupation, should face within this range. "Tokenism" for any minority group must be avoided.

It is also important to be aware of those occupations that have been associated in a stereotypical way with persons of a certain group--Mexican American farm laborers, Japanese gardeners, Chinese laundry workers, black domestic servants. Although they need not necessarily be excluded entirely, such stereotypes should be referred to very sparingly and should be balanced by references to the same group in other occupations.

4b. Socioeconomic settings. *Minority persons should be depicted in the same range of socioeconomic settings as are persons of the majority group.*

This standard directs the evaluator to determine whether, if a range of socioeconomic settings is portrayed, minority group characters participate in the same range of settings as do majority group characters. Socioeconomic characteristics should not be portrayed as correlated to race or ethnicity.

4c. Achievements. *Whenever developments in history or current events, or achievements in art, science, or any other field are presented, the contributions of minority peoples, and particularly the identification of prominent minority persons, should be included and discussed, when historically accurate.*

It is important to note that, in the development of most fields, contributions of minority peoples can generally be accurately included. Because of cultural bias, minority persons, no matter what their field, have often been less esteemed and less recognized than majority persons who have made comparable contributions. If biographies are included in the material, biographies of minority persons should be presented.

4d. Mental and physical activities. *Mentally active, creative, and problem-solving roles, and success and failure in those roles, should be divided in fair proportion between majority and minority group characters.*

Members of minority groups have often been shown disproportionately in roles requiring primarily physical strength and stamina, as opposed to roles calling for intelligence, skill, or creativity. Instructional materials must display a reasonable balance between majority and minority group characters in each type of role depicted.

Positive or negative results, success or failure, can flow from the undertaking of any task; it is not suggested that all characters should succeed at all times. A pattern of success or failure, however, should not appear to be correlated with the race, ethnicity, or cultural background of any character.

4e. Traditional and nontraditional activities. *The portrayal of minority characters engaged in activities which have traditionally been viewed as typical of their culture should be balanced by portrayal of such characters engaged in other, less traditionally recognized activities.*

Examples of the "traditional" activities referred to are the Chinese New Year festivities, the Mexican "La Posada," or the Japanese tea ceremony. Descriptions of these and other minority cultures, while they might mention these traditionally recognized activities, should not focus their portrayals chiefly on such events. Further, in this country even persons whose life-styles are derived from their root cultures engage in many other activities shared with persons of other cultural groups.

4f. Root culture. *Depiction of diverse ethnic and cultural groups should not be limited to their root cultures, but rather must include such groups within the mainstream of United States life and must identify them as Americans.*

Instructional materials have sometimes portrayed, for instance, Mexicans in Mexico and Japanese in Japan as a substitute for presenting the Mexican American and Asian American experiences. Root culture may be discussed in conjunction with the particular minority group's United States or California experience and therefore need not be eliminated. But alone, such discussions do not satisfy the requirements of the law.

This standard is not applicable to materials dealing solely with other countries or cultures, but materials claiming to represent selections from around the world--music, art, literature, for instance--should not be limited to European sources, but should include the root cultures of diverse minority populations in the United States and California.

Older Persons and the Aging Process

Approved by the State Board of Education, July 12, 1979

Purpose To promote the development of a healthy perception of older people and a concept of the aging process as a natural phenomenon.

Method By depicting the involvement, activities, and contributions of older persons as a vital part of society.

Applicability of Standards These standards apply to all materials that reflect contemporary United States or California society or any unidentifiable society. Standard #1 applies as well to materials that reflect any society outside the United States, subject to the limitations expressed in Special Circumstance #3 (pages 2-3).

Standards #3 and #4 require a judgment as to the degree to which the material complies, and Standard #4 can be applied only where the evaluator determines it is appropriate.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders that tend to demean, stereotype, or patronize older persons must not appear.*

   References to older persons, indicating, without describing mitigating circumstances, that their talents, intelligence, or activities are inferior to those of younger people, or that they are incapable of handling a situation without a younger person's assistance, constitute adverse reflections. Labels such as "old maid," "old buzzard," "old geezer," "fuddy-duddy," "crone," "rocking chair wonder," or "the geriatrics set " should not be used.

2. Proportion of portrayals. *Instructional materials containing references to, or illustrations of, usual human activities must include older persons, except as limited by accuracy or special purpose.*

   This standard applies to any materials in which the age of persons is referred to or illustrated, whether incidental to the purpose of the material or not. Numerically the portrayals of young and old persons are not expected to be even; determining the consideration of numbers and importance or impact of those portrayals is a qualitative judgment.

Standards requiring compliance to a reasonable degree

3. Roles. *The presentation of older persons in instructional materials should not, except as is necessary to identify them as older persons, be significantly different from the portrayal of people of other age groups.*

The reviewer must evaluate the portrayal of older people to determine if it is reasonably fair and accurate, considering all of the factors involved. The ultimate question is whether, on a total basis, the material would, in the mind of the average pupil for whom it is intended, foster an unhealthy attitude toward older people or the aging process.

Whereas it is true that many persons develop some physical or mental problems as they advance in age, it is also true that many maintain excellent physical and mental health. Although it is not expected that all older persons will be depicted as exceptionally active, productive, or successful, neither should all be depicted as necessarily inferior to, less active than, or dependent upon younger people.

4. Aging process. *When it is appropriate, the aging process should be pictured as a continuous process spanning the entire lifetime.*

Disabled Persons

Approved by the State Board of Education, July 12, 1979

Purpose To promote the development in pupils of a perception of disabled persons that is clear and undistorted, untinged by fear, distrust, loathing, amusement, ridicule, contempt, or pity.

Method By depicting the involvement, activities, and contributions of disabled persons as an integral part of society.

Applicability of Standards These standards apply to all materials that depict contemporary United States or California society or any unidentifiable society. In addition, Standard #1 applies to all materials that depict any society outside the United States, within the limitations of Special Circumstance #3 (pages 2-3).

Evaluators should note that whether a disability is temporary or permanent is of no particular significance. In programs for the disabled, a disability is a disability, regardless of duration.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders which tend to demean, stereotype, or patronize disabled persons must not appear.*

   This question, and other similar ones, could be asked: Do references to disabled persons indicate that they cannot live full, enjoyable, and productive lives? There should be no labels such as "spaz," "freak," "crip/cripple," or "vegetable." Such references constitute adverse reflections.

   Evaluators should also be sensitive to the fact that an occasional story dealing with one or more disabled persons, perhaps even depicting some of the problems of everyday living with certain kinds of disabilities, is not necessarily demeaning or stereotyping. When sensitively done, such stories can be influential in affecting the attitudes of both disabled and nondisabled pupils.

2. Proportion of portrayals. *Instructional materials which depict a broad range of human activities must include some representation of disabled persons, except as limited by special purpose or the need for accuracy.*

   Variations in length, subject matter, format, number of characters depicted, and many other factors affect the determination of which materials require portrayal of disabled persons. The evaluators must determine whether, in their judgment, the material covers a sufficiently wide range of activities, and therefore includes such a scope of individuals that one would normally expect to encounter in that milieu at least one visibly disabled person. If so, and the material does not depict any disabled persons, it is not in compliance.

Ideally, instructional materials should be prepared in such a way that the presence of disabled persons in various occupations, settings, and activities is accepted by the pupils as normal and does not seem unrealistic or contrived. While it is true that handicapped persons can and do compete on an equal basis in many fields, it is also true that numerically, they represent a very small percentage of participants in most common occupations, settings, and activities. To show them in a wide range of activities thus runs the risk of portraying a disproportionate number. It is not the intent of these guidelines to foster such distortions of reality.

Standards requiring compliance to a reasonable degree

3. Roles. *The presentation of disabled persons in instructional materials should not, except as is necessary to identify them as disabled, be significantly different from the portrayal of nondisabled persons.*

When it is possible to do so without sacrificing plausibility or educational value, instructional materials should show disabled people engaging in useful activities, contributing to society in a manner comparable with that of others. Their portrayals should emphasize the things they have in common with other people rather than their differences.

4. Emotions. *Materials should not convey the impression that physically handicapped people are "different" in their emotions or their ability to love and be loved.*

5. Achievements. *When developments in history or current events, or achievements in art, science, or any other field are presented, the contributions of handicapped persons must be included when it is historically accurate to do so.*

Compliance with this standard is often more a matter of identifying already well-known persons as handicapped than it is of adding material about lesser-known figures simply because they were or are handicapped; some examples are Milton, Beethoven, Edison, and the two Roosevelts, Theodore and Franklin.

Entrepreneur and Labor

Education Code Sections 60040(c) and 60044(a)

Purpose To develop in pupils an unbiased view of the functions of each of these two groups in American society.

Method By presenting, when appropriate, a balanced picture of the roles of capital, as represented by entrepreneurs and managers, and labor, as represented by workers and their organizations, in the American economic system.

Applicability of Standards The first standard below requires strict compliance, whereas Standard #2 demands compliance only where appropriate. They apply to all instructional materials that depict contemporary United States or California society or any unidentifiable society. In addition, it is important for an evaluator to be thoroughly familiar with Special Circumstance #3 (pages 2-3) before making decisions in the area of either of these standards.

Standard requiring strict compliance

1. Adverse reflection. *References or labels which tend to demean, stereotype, or patronize any persons engaged in any particular occupation or vocation, whether essentially entrepreneurial, management, or labor, must not appear.*

Standard requiring compliance where appropriate

2. Roles. *Reference should be made to the role and contribution of the entrepreneur and labor in the total development of California and the United States, and any such reference should be accurate.*

   If the nature of the material is such that reference should be made to the role and contribution of labor, then reference should generally also be made to the role and contribution of entrepreneur and/or manager, and vice versa. Since accuracy is important in this standard, evaluators who are in doubt as to the accuracy of a statement or reference should refer the question to the Department of Education, CFIM Unit, which will seek opinions from authoritative sources to resolve the issue.

Religion

Education Code Section 60044 (a) and (b)

Purpose To enable all pupils to become aware of and accepting of religious diversity while at the same time being allowed to remain secure in any religious beliefs they may already have.

Method By depicting, when appropriate, the diversity of religious beliefs held in United States and California society, as well as other societies, without displaying bias for or against any of those beliefs or against religious beliefs in general.

Applicability of Standards Since these standards derive to a degree from the United States and the California constitutions, and are closely related to the requirements concerning the portrayal of cultural diversity, they all require strict compliance.

These standards should not be construed to mean that the mere depiction of religion constitutes indoctrination. Religious music and art, for instance, may be included in instructional materials when appropriate.

Standards requiring strict compliance

1. Adverse reflection. *No religious belief or practice may be held up to ridicule, nor any religious group portrayed as inferior.*

2. Indoctrination. *Any explanation or description of a religious belief or practice should be presented in a manner which neither encourages nor discourages belief, nor indoctrinates the student in any particular religious belief.*

3. Diversity. *Portrayals of contemporary United States society should, where religion is discussed or depicted, reflect its religious diversity.*

Except where a piece of material deals with a particular racial, ethnic, or cultural group, or a particular historical era in the United States or California, materials in, but not limited to, art, music, and social sciences must, to a reasonable extent, reflect the religious diversity of contemporary United States society. (Education Code Section 60040(b) operates here in conjunction with cultural diversity requirements.)

Ecology and Environment

Education Code Section 60041(a)

Purpose To develop in all pupils a sense of responsibility for the protection and improvement, insofar as possible and feasible, of the natural environment of this planet.

Method By emphasizing, whenever appropriate, issues that relate to ecology and the environment and what ordinary citizens can do to contribute to the resolution of those issues.

Applicability of Standards This requirement is applicable only "where appropriate." A piece of material could avoid any discussion or portrayal of the kind required by these standards and still comply under this section. It may be silent on these issues provided such silence does not positively imply that no problems exist in ecology or the environment.

Standards requiring compliance where appropriate

1. Ecology. *The interdependence of people and their environment should be represented.*

2. Environmental protection. *Responsibilities of human beings for creation and protection of a healthy environment should be given direct attention.*

   The appropriate means for protecting and improving the environment should be presented, along with the possible adverse effects of some solutions to environmental problems. In no case should the material encourage or condone pollution.

3. Resource use. *Wise use of natural resources should be encouraged. In no case should the material depict (except as necessary to illustrate a point), nor encourage, nor condone waste of resources.*

Dangerous Substances

Education Code Section 60041(b)

Purpose To provide to all pupils knowledge and awareness of what constitutes the various uses and misuses of dangerous substances.

Method By presenting factual data and realistic values relating to the use and misuse of dangerous substances.

Applicability of Standards These standards both require compliance, although application of Standard #2 depends upon the evaluator's interpretation of what constitutes an "incidental manner." Special Circumstance #3 (pages 2-3) should also be considered in connection with these standards. The same principles can be applied here, even though the content area is different.

Standards requiring strict compliance

1. Discouragement of use. *The use of tobacco, alcohol, narcotics, or restricted dangerous drugs, except as prescribed by a physician, must not be glamorized or encouraged by illustrations or text.*

2. Hazards of use. *Where references to, or illustrations of, the use of substances are included in other than an incidental manner, such as a passing reference to a character taking cough medicine, or a classic short story referring to "father's" pipe, the hazards of such use should be depicted or pointed out.*

   The intention here is not that every time the use of alcohol or tobacco is shown or mentioned, a discussion of the hazards of such use must ensue. Rather, the intention is that the evaluator exercise judgment in determining when the nature of the depiction is such that the pupil should be reminded of the hazards involved in the action shown.

Thrift, Fire Prevention, and Humane Treatment of Animals and People

Education Code Section 60042

Purpose To instill in all pupils certain basic values, particularly thrift and humane treatment, with fire prevention especially highlighted as a separate aspect of each of these values.

Method By demonstrating the connection between these values and both everyday and extraordinary occurrences in human living and history.

Applicability of Standards The negative mandates listed first below require compliance in all cases; the positive mandates apply whenever appropriate. Special Circumstance #3 (pages 2 - 3) should also be considered in this connection, since the same principles can be applied. For example, vast differences have existed among different cultures and different historical periods with regard to acceptable standards of humane behavior.

Standards requiring strict compliance

1. Waste. *Wasteful or wildly extravagant behavior must not be encouraged nor glamorized.*

2. Fire hazards. *Practices and situations which constitute fire hazards must not be depicted, except for clarifying a point, nor condoned, nor encouraged.*

3. Inhumane treatment. *Physical abuse, violence, or other inhumane or degraded treatment of animals or people must not be depicted, except for purposes of clarifying a point, nor condoned, nor encouraged.*

Standards requiring compliance where appropriate

4. Thrift. *The practice of thrift should be encouraged through illustrations and/or text.*

5. Fire prevention. *Methods of prevention, and fire safety rules in general, should be explained and their use encouraged through illustrations and/or text.*

6. Humane treatment. *Such treatment should be encouraged through illustrations and text, but historical instances of inhumane treatment of people (such as slavery or the Holocaust) should not be omitted or glossed over but should be depicted when appropriate.*

Declaration of Independence and Constitution of the United States

Education Code Section 60043

This standard needs to be met only when it is appropriate to the comprehension of pupils at the level for which the material is designed. In addition, it applies only to instructional materials for social science, history, or civics classes.

1. *The Declaration of Independence should be presented.*
2. *The Constitution of the United States should be included.*

Brand Names and Corporate Logos

Approved by the State Board of Education, December 8, 1977

Purpose To prevent unfair exposure for any privately produced product.

Method By omission, whenever possible and feasible, of illustrations of or references to such private producers or their products.

Applicability of Standards The two standards in this area require strict compliance. However, they also require judgment concerning the "educational purpose" of the material or the segment of the material involved, since "educational purpose" determines how the standards are to be applied.

These standards apply to all instructional materials that depict contemporary United States society. In representations of foreign societies, they apply only to brand names, products, and logos familiar to the average American who has not traveled abroad.

Even though Standards #1 and #2 do require strict compliance, they also require a determination regarding educational purpose. Standards #3a through #3e are examples of standards that should be applied when educational purpose requires the inclusion of certain brand names or corporate logos.

Standards requiring strict compliance

1. Use of any such depictions. *Instructional materials shall not contain illustrations of any identifiable commercial brand names, products, or corporate or company logos unless such illustrations are necessary to the educational purpose of the instructional material, and that purpose cannot be achieved without using such illustrations, or unless such illustrations are incidental to a scene of a general nature (example: Times Square, New York City).*

2. Prominent use of any one depiction. *These exceptions aside, if a brand name, representation, or company logo is illustrated, prominence shall not be given to any one brand or company unless, in turn, such illustration is necessary to the educational purpose of the instructional material and that purpose cannot be achieved without using such illustration (example: Coca Cola sign in India, demonstrating social influence of American corporations abroad).*

Illustrative standards applicable when determined necessary for educational purpose

3a. Soft drinks. *If soft drinks must be mentioned, "cola" drinks should be referred to generically, and other kinds of drinks referred to as "soda," "soda pop," "orange soda," or the like. Specific brand names should not be used.*

3b. Restaurants. *If names of "fast food" restaurants are felt to be necessary, the names of several of the well-known ones of that kind should be included at some point in the text.*

3c. Recreational places. *Names of places may be mentioned when they are part of contemporary childhood culture, even though they are profit-making enterprises, such as Disneyland or Marine World.*

3d. Corporation names. *Inclusion of names of manufacturing or service corporations should not be found necessary except in very narrow context, when Standard #2 will apply.*

3e. Automobiles. *Automobile names may be used if a fair sampling of different names appear, preferably including American, European, and Japanese.*

Foods

Approved by the State Board of Education, December 8, 1977

Purpose To accustom pupils to seeing and dealing with representations of nutritious foods.

Method By emphasizing, when appropriate, foods of high nutritive value.

Applicability of Standards The standards for this area both require compliance to a reasonable degree. They do not constitute an absolute prohibition against portrayal of foods of low nutritive value, but rather deal with the application of emphasis.

Standards requiring compliance to a reasonable degree

1. High nutritive value. *When instructional materials contain illustrations of foods, foods of high nutritive value shall be emphasized.*

   a. Enriched or whole grain cereals, breads, and other grain products.

   b. Meats, poultry, and fish (lean, not fried), nuts (including nut butters), eggs, and dried legumes (beans and peas).

   c. Fruits and vegetables, including juices, and edible seeds.

   d. Dairy products.

2. Low nutritive value. *When instructional materials contain illustrations of foods, foods of low nutritive value and with undesirable content should be deemphasized.*

   a. Foods with too much sugar and very few other nutrients (such as cake, candy, carbonated drinks, gum, jam).

   b. Foods high in salt or other sodium compounds (such as chips, luncheon meats, pickles, pretzels).

   c. Foods with especially high fat content (such as fried foods, salad dressing, butter).

APPENDIX

Social Content Requirements of the Education Code

Portrayal of Cultural and Racial Diversity

60040. When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society, including:

(a) The contributions of both men and women in all types of roles, including professional, vocational, and executive roles.

(b) The role and contributions of American Indians, American Negroes, Mexican Americans, Asian Americans, European Americans, and members of other ethnic and cultural groups to the total development of California and the United States.

(c) The role and contributions of the entrepreneur and labor in the total development of California and the United States.

Ecological System; Use of Tobacco, Alcohol, Drugs, and Other Dangerous Substances

60041. When adopting instructional materials for use in schools, governing boards shall include only instructional materials which accurately portray, whenever appropriate:

(a) Man's and woman's place in ecological systems and the necessity for the protection of our environment.

(b) The effects on the human system of the use of tobacco, alcohol, narcotics, and restricted dangerous drugs as defined in Section 11032 of the Health and Safety Code, and other dangerous substances.

Thrift, Fire Prevention, and Humane Treatment of Animals and People

60042. When adopting instructional materials for use in the schools, governing boards shall require such materials as they deem necessary and proper to encourage thrift, fire prevention, and the humane treatment of animals and people.

Declaration of Independence and Constitution of the United States

60043. When adopting instructional materials for use in the schools, governing boards shall require, when appropriate to the comprehension of pupils, that textbooks for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States.

Prohibited Instructional Materials

60044. No instructional materials shall be adopted by any governing board for use in the schools which, in its determination, contains:

(a) Any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex, or occupation.

(b) Any sectarian or denominational doctrine or propaganda contrary to law.

82 28 (3rd printing) DE 12963 6 83 525

Other Publications Available from the Department of Education

Standards for Evaluation of Instructional Materials with Respect to Social Content is one of approximately 500 publications that are available from the California State Department of Education. Some of the more recent publications or those most widely used are the following:

Accounting Procedures for Student Organizations (1979)	$1.50
Bilingual Program, Policy, and Assessment Issues (1980)	3.25
California Private School Directory	9.00
California Public School Directory	12.50
California Public Schools Selected Statistics	1.50
California School Accounting Manual (1981)	2.50
California Schools Beyond Serrano (1979)	.85
California's Demonstration Programs in Reading and Mathematics (1980)	2.00
Discussion Guide for the California School Improvement Program (1978)	1.50*†
District Master Plan for School Improvement (1979)	1.50*
Education of Gifted and Talented Pupils (1979)	2.50
Establishing School Site Councils: The California School Improvement Program (1977)	1.50*†
Foreign Language Framework for California Public Schools (1980)	2.50
Guide to School and Community Action (1981)	1.75
Guidelines and Procedures for Meeting the Specialized Health Care Needs of Students (1980)	2.50
Guidelines for School-Based Alcohol and Drug Abuse Programs (1981)	1.00
Handbook for Planning an Effective Mathematics Program (1982)	2.00*
Handbook for Planning an Effective Reading Program (1979)	1.50*
Handbook for Planning an Effective Writing Program (1982)	2.00*
History–Social Science Framework for California Public Schools (1981)	2.25
Improving the Human Environment of Schools (1979)	2.50
Instructional Materials Approved for Legal Compliance, List No. 1 (1981)	3.50
Instructional Materials Approved for Legal Compliance, List No. 2 (1981)	1.50
Instructional Materials Approved for Legal Compliance, List No. 3 (1982)	1.50
Manual of First Aid Practices for School Bus Drivers (1980)	1.25
Mathematics Framework for California Public Schools, with 1980 Addendum (1982)	2.00
Monograph on Staff Development (1980)	1.50
New Era in Special Education: California's Master Plan in Action (1980)	2.00
Pedestrian Rules of the Road in California—Primary Edition (1980)	1.50
Physical Performance Test for California, Revised Edition (1981)	1.50
Planning for Multicultural Education as a Part of School Improvement (1979)	1.25*
Planning Handbook (1978)	1.50*
Proficiency Assessment in California: A Status Report (1980)	2.00
Proficiency Skill Development Kit (1980)	7.50
Putting It Together with Parents (1979)	.85†
Reading Framework for California Public Schools (1980)	1.75
Relationship Between Nutrition and Student Achievement, Behavior, and Health (1980)	4.00
Science Education for the 1980s (1982)	2.00*
Science Framework for California Public Schools (1978)	1.65
School Improvement: Making California Education Better (brochure) (1982)	.50*
Student Achievement in California Schools	1.75
Students' Rights and Responsibilities Handbook (1980)	1.50†
Teaching About Sexually Transmitted Diseases (1980)	1.65
Toward More Human Schools (1981)	1.75
Visual and Performing Arts Framework for California Public Schools (1982)	3.25

Orders should be directed to:

California State Department of Education
P.O. Box 271
Sacramento, CA 95802

Remittance or purchase order must accompany order. Purchase orders without checks are accepted only from government agencies in California. Sales tax should be added to all orders from California purchasers.

A complete list of publications available from the Department may be obtained by writing to the address listed above.

*Developed for implementation of School Improvement
†Also available in Spanish at the price indicated

ATTACHMENT #7

CRITERIA FOR EVALUATING INSTRUCTIONAL MATERIALS

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

Criteria for Evaluating Instructional Materials

Criteria for Evaluating Instructional Materials in Music

Kindergarten Through Grade Eight

Approved by the California State Board of Education on March 9, 1978

I. Introduction

The criteria for evaluating instructional materials in music shall reflect the philosophy expressed in the *Visual and Performing Arts Framework*. The primary objective of the music curriculum should be to develop the ability of every child to perceive and respond to the aesthetic content of music. Consequently, a series of music textbooks should be judged according to the excellence of their musical content and the systematic contribution that this content will make to a total program of music education. The necessity for quality in a series of music textbooks is paramount. The following is an outline of suggested criteria for evaluating music materials:

II. Quality of Music

A. Musical selections should generally include melodies of expressive quality. Books in a series should generally contain numerous examples of each of several characteristic melodic structures; i.e., patterns that move scalewise, chordwise, by repeated tones, or in sequence. In books for upper grades, the inclusion of songs using a 12-tone row and melodies using such devices as inversion, augmentation, and diminution is desirable.

B. The voice parts in part songs shall be "singable," and the range of difficulty of the songs shall be varied. The accompaniment to each song, whether played on the piano or on other instruments, shall be appropriate to the melodic style and period of the song. All accompaniments shall conform to generally accepted principles of harmony, whether traditional or contemporary.

C. The rhythm of each melody and the verbal pattern of the text shall conform to each other artistically. Accented beats of the measure and

accented words or syllables shall normally coincide. In pupils' books, rhythmic structures so difficult as to require rote learning shall be avoided. In general the rhythmic notation of songs shall be comprehensible to the children who will use the books.

D. Each song book should contain many songs in which the musical relationships among phrases are so precisely defined that children can readily recognize them and thereby discover the musical form. Recognition of design is essential to the understanding of music.

E. Songs and their voice parts shall be within the voice range of the majority of the pupils for whom they are intended.

F. The instrumental compositions and songs included in the books shall be of excellent quality and of various types. There shall be a balance between folk songs and songs by significant composers of the past and present. Folk songs shall be representative not only of various countries but also of various regions of the United States. Books shall include songs and compositions for listening that represent a variety of ethnic groups.

III. Quality of Texts

A. The text of each song shall possess intrinsic merit and be suitable to the grade level for which it is intended.

B. Each song book should generally include some songs in their original languages with phonetic indications of correct *pronunciations.* Translations of these songs in poetic or prose form shall be included in books for pupils and teachers. Translations may also be used as texts of songs if they possess poetic quality, are appropriate in content for the age level involved, and conform to the music.

C. Translated texts of songs shall be as faithful as possible to the original text.

D. Songs containing dialect offensive to any ethnic group are not acceptable.

IV. Music Listening Selections

A. Books for pupils should generally contain some material that will encourage them to listen for specific features of songs and instrumental compositions. In like manner, materials for teachers shall include detailed suggestions to aid them in developing the ability of children to listen to music intelligently and to understand and enjoy it.

B. Composition included in the textbooks for listening purposes shall represent a variety of performance media and contrasting styles and periods and shall be related to the sequential development of concepts.

C. Books for pupils should generally include themes of musical compositions recommended for listening and shall provide authentic background material on the music itself and its composer. Materials for teachers should include additional information designed to assist them in promoting the children's understanding and appreciation of the music selected for listening.

D. Materials for grades seven and eight shall emphasize music listening activities through which young people will be guided to discover for themselves the meaning and structure of music. It is desirable that some material be included that will emphasize not only vocal and instrumental performance but composing and conducting activities as well.

E. Textbooks shall provide a variety of materials supportive of varied activities, such as playing

instruments, reading rhythmic scores, and singing (physical as well as mental activities).

V. Organization of Material

The content of each book and of each series as a whole shall be set forth in a manner that will clearly provide for a sequential program of instruction. The program shall contribute to children's understanding of the nature, meaning, and structure of music and to the development of concepts of rhythm, melody, harmony, form, tempo, dynamics, and tone color.

VI. Type of Content

A. Books should generally contain an adequate amount of each of the following types of material: folk, art, and seasonal songs; songs expressive of moral and spiritual values; and songs of a patriotic and historical nature. For middle and upper grades, occasional selections from light operas, operas, and oratorios appropriate to the grade level are desirable. Textbooks shall include songs by contemporary composers, especially those of the United States. Songs of various ethnic origins should be included.

B. Materials for pupils and teachers shall include information that will promote understanding of the cultural significance and expressive meanings of songs.

C. Books for pupils should contain some material organized systematically to promote understanding of the meaning of symbols of musical notation and skill in using them. Books for teachers shall include clearly stated directions for implementing this program.

D. Rounds, canons, descants, and chants are desirable at all grade levels. In books for middle grades, simple two-part songs are desirable. Books for upper grades shall include some unison songs and a considerable amount of material in two and three parts.

E. Vocal music for grades seven and eight shall include examples of two-, three-, and four-part songs (SA, SSA, SAT, SAB, and SATB).

F. In books for grades five through eight, some songs shall contain the melody in parts other than the soprano. It is particularly important that some songs in books for grades seven and eight have the melody written in the bass clef in a range that will be comfortable for boys with changing or changed voices.

G. The notation of music in pupils' and teachers' editions at all levels shall include authentic indications of such expressive elements as tempo and dynamics.

H. The content of books and other instructional materials shall provide for the listening program to such an extent that it is balanced in importance and significance with performance (both vocal and instrumental), improvisation, composing, and conducting.

I. Books shall provide for musical experiences of intrinsic value organized to promote a sequential development of skill in reading and writing music. These musical experiences shall also contribute to the reinforcement of previous learnings.

VII. Instrumental Activities

A. Materials for each grade shall include some songs that suggest the use of instruments, such as the autoharp, bells, the recorder or other flutelike instruments, and percussion and orchestral instruments. In books for pupils, the notation of instrumental parts to be played by children shall be included when appropriate.

B. All textbooks shall contain indications of the correct chords for songs that may appropriately be accompanied by autoharp or other chordal instruments. Any indication of chords must be consistent with the key in which the song is notated. In both pupils' and teachers' editions, the notation of appropriate rhythm patterns for some accompaniments shall be included.

C. For middle and upper grades, materials for pupils shall contain some songs scored in a manner that will facilitate the playing of orchestral instruments by children. The orchestrations shall be interesting melodically and rhythmically.

D. Textbooks or other materials shall include a representation of the relationship of the piano keyboard to the musical staff. The drawing of the staff shall be large and shall be placed above the pictured keyboard. An illustration of the autoharp shall also be provided.

E. When material directly related to an instrument or group of instruments is presented, appropriate illustrations and factual information shall also be given. The illustrations shall be authentic and shall depict the relative sizes of instruments within a given family. It is desirable, whenever possible, that pictures of the instruments be related to those used in the recordings.

F. In books for middle and upper grades, there shall be at least one reproduction of a page from a full orchestral score that is related to the music the children are studying, along with a brief explanation of the score's most important features. An illustration of a symphony orchestra accompanied by a seating chart shall be included in the book. Photographs of a concert band and/or standard chamber music ensembles are also desirable.

VIII. Aids for Teachers

A. Technically superior banded recordings of all songs in each textbook should be available. These recordings should represent a variety of appropriate voice types. The songs should be sung at the appropriate tempo. The words should be understandable. Instrumental accompaniments should be tasteful and authentic and should not overpower the vocal character of the music. The melodic and rhythmic content of the recording should correspond to the score printed in pupils' and teachers' books. When a language other than English is used, those making recordings or tapes should use authentic native or near-native speakers representing male and female adult voices as well as children's voices, using accurate intonation.

B. All recordings of songs and other selections for listening recommended in a series of textbooks must be available for evaluation when the textbooks are being evaluated.

C. The catalog numbers of the records and the page numbers of the recorded songs in the pupils' and teachers' editions shall be cross-referenced and included in the index.

D. Materials for teachers shall include piano accompaniments that are harmonically correct, appropriate to the style of the melody, and playable by some of the pupils or teachers.

E. A teacher's edition of the textbook shall be available to assist the teachers in the effective uses of pupil materials. Pagination shall be the same in both books. Teacher and pupil editions of textbooks within a series must be available for concurrent evaluation.

F. Materials for teachers shall be organized in clearly understandable lesson plans that will help them carry out a sequential program of instruction dealing with the constituent elements of music and their interrelationships.

G. Materials for teachers shall indicate simply and clearly the ways in which they can help children learn to explore music creatively and to investigate and discover the nature, meaning, and structure of music.

H. Textbooks for teachers shall include suggestions for original and exploratory activities for children, including movement to music, through which musical concepts can be developed.

I. Materials for teachers at all grade levels shall provide for musical activities that will contribute to children's development of understandings, attitudes and appreciations, and skills.

J. An appendix listing available visual aids, supplementary recordings, programmed learning materials, and resource books is desirable.

IX. Physical Features

The following aspects of format and other physical features of books shall conform to acceptable standards:

A. The general appearance of the textbooks shall be appealing to children.

B. Both the text and the musical notation shall be clear and easy to read.

C. In part songs included in books for grades four through eight, the notation of the individual parts shall be clearly defined and easy to read. Many of the part songs shall be notated, with each part on a separate staff.

D. Bindings shall be strong and durable and shall permit the book to remain flat when open. Bindings must not obscure inner margins.

E. An attractive cover design is desirable.

F. Whenever possible, the songs shall be spaced on the page so that the phrase structure is easily apparent, with no phrase broken between two lines.

G. Each book should be attractively illustrated to stimulate children's interest in the music and to enhance the music's mood and spirit. These illustrations shall not interfere with the musical notation presented.

H. Illustrations of children participating in activities related to the music shall reflect the multiethnic composition of our society.

I. The materials in textbooks for pupils and teachers shall be indexed alphabetically and shall also be classified as to topics and types of music. In teachers' editions there shall be an additional classification of materials in terms of elements of music, leading toward the development of concepts. In the classified index, both the title of each song and the number of the page on which it occurs shall be cited. Each song included in the textbook for pupils shall be presented on the corresponding page in the teacher's edition. The organization of the indexes shall be consistent among all books in a given series.

Addendum to Criteria for Evaluating Instructional Materials in Music

I. Criteria for Evaluating Supplementary Materials

A. **Instrumental Music**

Materials should promote a sequential development of skills in pupils.

1. Materials should include selections for a variety of standard band and/or orchestral instruments.
2. Simple performance music suitable to each ability level of the student should be included and graded as to difficulty.
3. A section on the care and maintenance of instruments should be included at each level.
4. Clearly illustrated fingering charts should be included at each level.
5. Materials for the recorder should indicate fingerings in both baroque and German.
6. Illustrations of proper playing posture are desirable.
7. Instrumentation and number of parts should reflect the prevailing instrumentation of the average elementary, middle, and/or junior high school; e.g., large numbers of trumpets, clarinets, and flutes.
8. Wherever possible, parts should be divided in such a manner that beginners are able to perform with more advanced players.
9. It is desirable to have inexpensive recordings accompany the materials.

B. **Choral Music**

1. Whenever possible, collections of songs, unison, part songs, part songs with descants, and partner songs are desirable.
2. Choral music that reflects the ethnic and cultural diversity of the society should be encouraged.
3. Lyrics and style should be appropriate for the level submitted.

II. Criteria for Evaluating Religious Content in Materials

Any materials of a religious nature in instructional materials will have been evaluated first for compliance with Education Code sections 60044(a) and (b). However, if instructional materials contain any discussion, depiction, or other aspect of religion, they shall also be evaluated to meet the following educational criteria:

A. Materials commonly recognized as having sectarian religious content should be treated in instructional materials in ways that contribute to the understanding of musical style and musical history, to the development of musical concepts and skills, and to the recognition of music as an element of cultural diversity.

B. Songs commonly recognized as having sectarian religious content shall be included in basic materials, both in quantity and placement, only as required to achieve a specified educational purpose.

C. Materials for teachers shall contain suggestions that will assist the teacher in recognizing the religious diversity of students in the classroom and in being sensitive to feelings that children may have when asked to participate in

singing songs that are not of their own religious background.

D. Materials for teachers should provide ample information or instruction on how to present religious songs in such a way as to comply with legal constraints.

E. Teacher and student materials shall not contain directions or suggest activities for students that could be considered adorational or devotional in nature and that may require students to participate in any religious observance.

F. Except where a material deals with a specific nationality or a particular social, ethnic, or cultural group or a particular historical era in the United States or California, music materials should reflect the religious diversity in contemporary and historical United States' society.

G. Any materials which are used to describe particular religious practices should refer to the generic group which observes such practices. Thus, except as it may appear in lyrics, the pronoun *we* should not be used in reference to any cultural or religious group

Criteria for Evaluating Instructional Materials in Art

Kindergarten Through Grade Eight

Approved by the California State Board of Education
December 14, 1978

I. Introduction

The criteria for evaluating instructional materials in art shall reflect the philosophy expressed in the *Visual and Performing Arts Framework*.

The four major goals of art education are the development of (1) visual and tactile perception; (2) skills of creative expression; (3) knowledge or art heritage; and (4) bases for aesthetic judgment.

1. *Visual and Tactile Perception* heightens students' awareness and sensitivity to the world about them. Perception is developed as students see, feel, and understand form, color, and texture as well as visual subtleties in daily experiences. The ability to perceive is fundamental to art expression and appreciation.
2. *Creative and Expressive Skills* are developed through direct personal experiences with art materials. Art instruction is designed to enable students to communicate ideas and feelings, as well as images and symbols in visual forms.
3. *Art Heritage* study includes investigating historical, contemporary and popular art, fine art, and folk art. It is essential for students to understand that art has a past and a present and that it has always been an important part of the lives of people everywhere. Knowledge of the arts is an important way for students to understand the cultural heritage and values of different ethnic and cultural groups.
4. *Aesthetic Judgment* involves the study of visual, intellectual, and philosophic bases for understanding art and for making judgements about its form, content, technique, and purpose. As a result, students learn to identify issues and to develop criteria for appraising visual forms and arriving at personal preferences and opinions. Concern for the quality of the visual environment is increased as aesthetic judgment is developed.

Instructional materials may address one or more of these goals as appropriate.

II. Student Materials

A variety of instructional materials, including books, films, videotapes and cassettes, filmstrips, illustrations, reproductions, slides, transparencies, manipulative materials, and learning games will be considered.

Student materials shall:

1. Demonstrate to the student that art is a means to enrich the quality of daily life.
2. Include works which promote students' understanding of the intent and aesthetic quality of the art form, drawing upon a range of subject matter representative of all aspects of life, such as human forms, historical, political, and social events.
3. Include art processes and techniques which stimulate students' ideas and personal imagery and not merely present methods for making products.
4. Present art works from major periods of history which are

representative of art throughout the world.

5. Encourage the use of a variety of art media and materials for creative expression, such as drawing, painting, sculpture, graphics, ceramics, crafts, fibers, photography, film, and video.
6. Heighten the students' sensitivity to the environment by providing activities to increase their knowledge as well as to extend and strengthen their visual and tactile awareness.
7. Be appropriate for the age of the student.
8. Provide a continuum of experiences from simple to complex.
9. Provide for differences in learning styles, interests, and aptitudes.
10. Introduce new terms and develop and expand the students' art vocabulary.
11. Present discussion topics and follow-up activities which contribute to the students' understanding of:
    a. The structure of art: elements (form, color, texture, line) and principles of design
    b. The meaning of art: origins, content, influences, purposes
    c. The relevance of art to the individual and to society
12. Develop awareness of local and national resources, such as museums, galleries, and collections which provide opportunities to view original works of art.
13. Relate art to other arts disciplines and subject areas.
14. Present information about art careers and related vocations.
15. Include suggestions for ongoing self-evaluation.
16. Include brand names, commercial representations, and logos only when such examples are clearly related to instructional purposes.
17. Treat examples of art depicting religious subjects in ways that contribute to the understanding of art and art history, to the development of art concepts and skills, and to the recognition of art as an element of culture.
18. Unless specifically dealing with a limited cultural topic or historical period, include information about the artistic contributions of all groups within the United States: Asians, Blacks, Europeans, Native Americans, Latins, and other ethnic and cultural groups, identifying the expressive characteristics of their art forms. Materials will also represent various socioeconomic and geographic groups, ages, and sexes.

III. Teacher Materials

Materials should provide teaching strategies for perceptual development, for exploring the historical and cultural background of art, for producing art, for examining art, for talking and reading about art, and for evaluating student progress in art.

Teacher materials shall:

1. Suggest specific ways in which the teacher can provide leadership and guidance to help children develop understanding and appreciation of art and skills for perceiving and creating art.
2. Include examples of clearly understandable lesson plans, organized in a sequential order of instruction, with multiple points of entry.
3. Suggest teaching strategies which provide for differences in learning styles, interests, aptitudes, and achievement.

4. Include information, discussion topics, and follow-up enrichment activities.
5. Include suggestions for organizing learning experiences for individual, small, and large group activities.
6. Provide sufficient teacher information to be usable by teachers with limited art background.
7. Provide current bibliographies and listings of related instructional materials and suggestions for their use.
8. Indicate various ways in which art may be related to other subject areas.
9. Include suggestions for formal and informal techniques for evaluation of student progress, such as performance and verbal assessments, observation techniques, individual inventories, skill development reviews, checklists, and standardized and teacher-designed tests.
10. Contain information about child growth and development in art.

Criteria for Evaluating Instructional
Materials for Bilingual-Bicultural
Education and for English-as-a-
Second-Language Education

Kindergarten Through Grade Eight

Approved by the State Board of Education on March 11, 1977
(Revised Dec. 9, 1982)

I. Introductory Statement

A. Concept. The goals of bilingual-bicultural education and English-as-a-second-language (ESL) education express the same aspirations held for all youth experiencing public education in the United States. However, the concept of bilingual-bicultural education must emphasize the acquisition of English and reflect a philosophy of cultural pluralism. Specifically, the bilingual-bicultural program must seek and pursue goals and objectives that clearly promote a deeper understanding among our many cultures. It must also be understood that English-as-a-second-language programs as well as programs designed for dominant speakers of English to learn second languages are integral parts of a well-organized bilingual-bicultural program. Materials selected must reflect the philosophy expressed in Bilingual-Bicultural Education and English-as-a-Second Language Education.[1]

B. Goals. The goals of bilingual-bicultural education and English-as-a-second-language education are:

1. To develop in each pupil the ability to realize to the utmost the pupil's potential as an individual, as a learner, and as a citizen in a multilingual-multicultural society.
2. To enrich and deepen mutual understanding for all citizens by building upon the rich multicultural foundation of our society (The learner's unique environment and experiences are the cornerstone of these foundations.)
3. To promote cultural acceptance, national pride, and world understanding.
4. To offer a curriculum that meets the diverse needs of pupils with different language and cultural orientations in order to permit them to:

   a. Develop English communication skills in the nonspeaker of English to a level comparable with native speakers of English of the same age and ability.
   b. Preserve and strengthen their self-image and sense of dignity through appropriate and meaningful instructional programs.
   c. Utilize their first language as a medium of instruction to avoid premature experiences with the second language which could be detrimental to learning that language.
   d. Learn to interact in a multilingual-multicultural social setting.
   e. Develop pride in self, school, and community.
   f. Develop second-language communications skills in the dominant speaker of English.
   g. Develop incentive to remain in school, succeed, and prepare for future undertakings.
   h. Acquire the academic tools to pursue postsecondary education.

[1] Bilingual-Bicultural Education and English-as-a-Second-Language Education: A Framework for Elementary and Secondary Schools

II. General Criteria for Selection of Instructional Materials for Bilingual-Bicultural Education

Major factors to consider in the selection of instructional materials for bilingual-bicultural education are:

A. Content, Sequence, and Scope

1. Appropriateness of material to the level of intended instruction and to the varying learning capacities of the students by age and grade in respect to:
   - Vocabulary level
   - Difficulty of concepts
   - Theme
   - Sequence of content
   - Method for developing concepts
   - Interest level
2. Promotion of positive attitudes toward all races and cultures
3. Positive relation of material to experiences of the culturally different student
4. Inclusion of the history, folkways, literature, local events, and cultural and social traditions of the linguistic minority
5. Inclusion of visual perception development through aesthetic art works appropriate to the linguistic cultural minority
6. Content of instructional materials in the primary language should parallel English curricular materials where possible

B. Accuracy, Authenticity, and Appropriateness

1. Accuracy of factual content
2. Qualifications of the author and/or producer
3. Consistency of content with educational goals of the program
4. Appropriateness of medium to the subject matter
5. Up-to-dateness of material

C. Style and Format

1. Clear and logical presentation
2. High-quality narration and dialogue
3. Appropriateness of title, labels, or captions
4. High-quality binding and paper

III. General Criteria for Selection of Instructional Materials for English-as-a-Second-Language Education

Major factors to be considered in the selection of instructional materials for the acquisition of English (or another language) as a second language and first language development are:

A. Content, Sequence, and Scope

- Proper sequence for language learning: from aural comprehension to speaking to reading to writing
- Adequate practice in using the language
- Opportunities to learn the structure and function of language

- Development and refinement of reading skills
- Controlled vocabulary
- Suitability of content and structure for age and grade level
- Equitable treatment of ethnic minorities
- Progressive development in:
  - Basic reading skills
  - Vocabulary
  - Language structures
  - Concepts and insights
  - Stimulating thinking

B. Appropriateness

1. Audiolingual orientation/natural acquisition
2. Adequacy and variety of exercises
3. Presentation of sentence patterns as they relate to sequential development by means of transformations, modifications, and expressions
4. Models standard language

C. Style and Format

1. Sentence constructions in standard usage
2. Aids to develop and test comprehension
3. Adequate and appropriate visuals, comprehension questions, vocabulary exercises, and sentence-pattern exercises

IV. Criteria for Evaluating Visual and Auditory Elements

A. Visual Elements. Visual elements of materials for bilingual-bicultural programs and an English-as-a-second-language program must meet the following criteria:

1. Be large enough to be clearly visible to the viewer.
2. Present subject matter of interest to the pupils.
3. Illustrate clearly the language and/or cultural principle in question.
4. Be accurate regarding historical and cultural details.
5. Be easy to use.
6. Be accompanied by helpful teaching techniques.

B. Auditory Elements. Auditory elements of materials for bilingual-bicultural programs and the English-as-a-second-language programs must meet the following criteria:

1. Use authentic native or near-native speakers representing male and female adult as well as children's voices.
2. Reproduce voices with high fidelity.
3. Employ recorded material designed for the specific program under scrutiny.
4. Present voices speaking at an appropriate rate and with accurate intonation.

CRITERIA FOR SELECTION OF INSTRUCTIONAL MATERIALS FOR FOREIGN LANGUAGES

I. Introduction

The primary goal of foreign language instruction in California's public schools is to help students to

--Communicate effectively through the foreign language.

The secondary goal is to help students to

--Function in the culture(s) in which the foreign language is used.

The achievement of these two goals leads to the broader, interdisciplinary goal of helping students to

--Appreciate the similarities and diversities of languages, cultures, and value systems within the United States and throughout the world.

Materials selected should reflect the philosophy expressed in the Foreign Language Framework for California Public Schools, which was adopted by the State Board of Education and published by the Department of Education in 1979.

Because inclusion of foreign language in the curriculum should begin as early as possible in the school life of a child, it is necessary to provide instructional materials appropriate to the needs and interests of pupils who study foreign languages at any grade level, and allow for progression along a continuum of skills through succeeding grade levels.

II. Criteria

A. Organization

All pupil textbooks, teachers' editions, and manuals should:

1. state clearly their goals and objectives
2. identify the major approaches used to reach the stated goals and objectives

3. contain a great variety of appropriate learning activities to achieve these goals and objectives

4. indicate the appropriate sequential development of the communicative language skills

5. contain evaluation materials and procedures related to the objectives

6. include a wide range of activities that provide students with opportunity to acquire linguistic and cultural fluency

7. provide a continuum of learning activities related to the specific learning objectives

8. provide means for sequential development of language in appropriate increments

9. provide for maintenance of previously learned skills

10. provide for transition from level to level

B. Learning Activities

1. Textbooks and materials should:

a. provide means for the systematic and continued development of listening, speaking, reading, and/or writing as appropriate to the learner and to the approach.

b. present language through a variety of means appropriate to the content and to the interest of the pupil, e.g., songs, games, plays, stories, dialogs, poems, improvisations, simulations.

c. provide a great variety of activities which encourage pupils to communicate their ideas, interests, and feelings.

d. provide activities for developing students' ability to communicate increasingly independent of textbook or teacher direction.

e. provide simulation activities for experiencing both the deep and the surface elements of the culture being studied.

f. provide means for pupils to use foreign language in a variety of culturally authentic situations.

g. present activities for contrasting the students' culture and other cultures.

h. motivate students to maximum acquisition of language by making sure that they understand at all times the objectives of each lesson.

2. Teachers' editions and manuals should:

a. include readily understood, sufficient, and specific directions, i.e., how to use component materials, suggested techniques, supplementary materials, and cultural items of interest.

b. provide scope and sequence of basic content for each level.

c. provide information on how instruction can be individualized.

d. suggest ways by which teachers can help students overcome difficulties in pronunciation and structure

e. include sufficient supplementary materials for enrichment of basic program.

f. describe ways to incorporate realia, visual aids, and recorded materials in learning and using the language.

g. provide information on how classroom dynamics can be varied from teacher-directed, whole-class activities to self-directed, small-group activities.

h. suggest activities that create an environment that is conducive to successful language learning (i.e., use of music, positive suggestion and relaxation techniques.)

i. provide sufficient material and procedures for testing (evaluating) achievement of the learning objectives.

C. Media Standards

1. Printed elements of the foreign language program should:

a. be durable

b. be attractively presented

c. have print that is clear, readable, and appropriate to the content of the material and the maturity of the pupils

d. use color, illustrations, and photographs

2. Visual elements of the foreign language program should:

   a. provide pictures which are culturally and historically authentic and directly related to the printed material, avoiding stereotyping

   b. be large enough to be clearly visible to the viewer

   c. present subject matter of interest to the pupils

   d. utilize color as necessary for understanding content

   e. illustrate clearly the language and/or cultural principle in question

   f. be accompanied by helpful teaching techniques

3. Auditory elements of the foreign language program should:

   a. use authentic native or near-native speakers representing male and female adult as well as children's voices

   b. use voices speaking at an appropriate rate, with accurate intonation, avoiding extremes of high and low pitches

   c. be accompanied by a script with suggestions for effective use

   d. provide explanations necessary for understanding the language used

   e. include recorded tapes and discs appropriate to the content of the instructional materials

   f. reproduce all sounds with high fidelity

Approved by State Board of Education May, 1979

National Organizations

ACTFL	American Council on the Teaching of Foreign Languages
MLA	Modern Language Association of America
PAA	Philological Association of America
AATF	American Association of Teachers of Frenc
AATG	American Association of Teachers of Germa
AATI	American Association of Teachers of Italia
AATSEEL	American Association of Teachers of Slavic and East European Languages
AATSP	American Association of Teachers of Spanish and Portuguese
CLTA	Chinese Language Teachers Association
ALA	African Languages Association
AAS	Association of Asian Studies
ASPAC	Asian Studies on Pacific Coast
NALLD	National Association of Language Lab Directors
NABE	National Association of Bilingual Education

International Organizations

TESOL	Teachers of English to Speakers of Other Languages
ATJ	Association of Teachers of Japanese

Many areas also have regional and local associations or local chapters of national associations.

Appendix C

PROFESSIONAL ORGANIZATIONS OF INTEREST TO THE LANGUAGE TEACHER

California Organizations

CFLTA	California Foreign Language Teachers Association
Affiliates of FLTA	
FLAGS	Foreign Language Association of Greater Sacramento
FLANC	Foreign Language Association of Northern California
FLA-OC	Foreign Language Association of Orange County
FLA-SCC	Foreign Language Association of Santa Clara County
FLC-SD	Foreign Language Council of San Diego
IVFLTA	Imperial Valley Foreign Language Teachers Association
MCLASC	Modern and Classical Language Association of Southern California
KCFLTA	Kern County Foreign Language Teachers Association
MSFLTA	Marin-Sonoma Foreign Language Teachers Association
TRICOFLA	Tri-County Foreign Language Association
NCFLA	North Coast Foreign Language Association
CVFLA	Central Valley Foreign Language Association
CATESOL	California Association of Teachers of English to Speakers of Other Languages
CCA	California Classical Association
CABE	California Association of Bilingual Educators

ATTACHMENT #8

SPECIMEN COPY OF
PRICE QUOTATION ON INSTRUCTIONAL MATERIALS
("Bid" Form)

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

FORM #TXT-10
RUN DATE:

PRICE QUOTATION ON INSTRUCTIONAL MATERIALS
CALIFORNIA STATE DEPARTMENT OF EDUCATION
EFFECTIVE DATE - JULY 1, 19

PAGE

MATERIAL TYPE -

SUBJECT -

CONTACT NAME

TYPED NAME AND TITLE OF OFFICER

TITLE

SIGNATURE OF OFFICER

(AREA CODE) TELEPHONE NUMBER

CA SALES TAX PERMIT NO. OR "NONE"

DATE

STATE ID NO	COPY-RIGHT YEAR	GRADE LEVEL	PUBLISHER ID NUMBER	TITLE(S) AND AUTHOR(S)	ITEM COST - UNIT PRICE	ITEM COST - FREIGHT FOB DESTIN.	ITEM COST - SALES TAX	ITEM COST - TOTAL COST	FREE TCHR EDIT 25-1	STATE PRINTING - LICENSE TO PRINT	STATE PRINTING - FILM LEASE PRICE

111

110

PLEASE TYPE RATES BETWEEN ASTERISKS
* * * PRICES IN EFFECT 7/1/ THROUGH 6/30/ * * *

ATTACHMENT #9

SPECIMEN COPY OF
STATEMENT OF TEXTBOOK SPECIFICATIONS

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

THE CALIFORNIA STATE BOARD OF EDUCATION

Statement of Textbook Specifications

Name of Publisher _____

Address _____

Book Title _____ Subject _____ Grade _____

Class of Textbook: A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ Trim size _____ Bulk _____

Paper: Basis weight _____ lbs. Brand Name _____

Mill source _____ Caliper _____

_____

Printing: Flat stock—press sheet size _____ Roll stock—roll width _____

Trims: Head _____" Front _____" Foot _____"

Margins: Backs _____" Head _____" Side _____" Foot _____"

Inks employed in text: Black only _____ Number of colors _____

Type of press _____
(If flat stock give size of press, if roll stock give number of units used and cutoff)

Binding: Number of pages (total) _____ Pages to signature _____

Endsheet stock: Sulphite _____ lbs. Kraft _____ lbs. Special _____ lbs.

Inserts: Number _____ Single leaf _____ Double spread _____ On guard _____

Stitched in _____ Sewed in _____

Reinforcements: Visible drill joints _____ Concealed muslin joints _____

Sewing and stitchings: Sewed _____ Stitched _____ Wires or none _____

Thread: Designation _____ Material _____

Supers: Number _____ Paper _____ Gluings _____ Headbands _____

Cover boards: Material _____ Manufacturer's group designation _____

Thickness in points _____ Non-woven _____

Impregnated: Pyroxylin _____ Vinyl _____ Other _____; Coated _____

Cover printing and cover illustrations:

Genuine gold _____ Leaf _____ Ink _____ (No. of colors) Stamped _____

Preprinted cloth _____ Lithographed cloth _____ Other _____

Special Features _____

The undersigned publisher submitting the textbook stated herein certifies (on the basis of tests of material in their original conditions and in respect to the mechanical specifications employed in manufacture) that the filed sample conforms in every respect to the Manufacturing Standards and Specifications for Textbooks of the National Association of State Textbook Administrators, as specified in the Call for Bids for Textbooks issued by the State Board of Education.

Signed _____
Publishing Company or Agent

Date _____ 19__ By _____
Officer of Publishing Company or Agent

5819-EJ-786 8-76 4M OSP

OSP 48

ATTACHMENT #10

SPECIMEN COPY OF STANDARD AGREEMENT (CONTRACT)
BETWEEN THE STATE BOARD OF EDUCATION AND THE PUBLISHER

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

CALIFORNIA STATE BOARD OF EDUCATION
INSTRUCTIONAL MATERIALS AGREEMENT
EDUCATION NO._____

DATE:_____day of _____, 19____.

The STATE BOARD OF EDUCATION OF CALIFORNIA, the "BOARD", and_____
_____, the "PUBLISHER", a corporation organized and doing business under and by virtue of the laws of the State of_____
_____, having its principal place of business in the City of _____, State of_____, enter into this Agreement.

On_____, the BOARD adopted the attached schedule of instructional materials for use in schools in California from_____, 19___to_____,19____.

The parties agree:

I GENERAL PROVISIONS

1. Indemnification. The PUBLISHER shall indemnify and save harmless the STATE against any and all claims, demands, and causes of action which may be made against the STATE for infringment of copyright or otherwise arising out of the printing, publication, sale distribution, and use of instructional materials by the BOARD under this Agreement.

2. Board Members Acting in Official Capacity. In no event shall the individual members or any officer of the BOARD, or any agent or employee of the BOARD, be personally or individually liable in any respect as to any term, condition, covenant, or agreement contained in this Agreement. The action of each and every member or Officer or agent or employee of the BOARD regarding this Agreement is in their official capacity.

3. Availability of Funds. Any obligation of the BOARD under this Agreement shall be contingent upon and subject to an appropriation of funds for the purpose of acquiring instructional materials.

4. Requirements. The PUBLISHER shall comply with the requirements of Education Code Section 60061 which states:

Publishers' and Monufacturers' Duties

60061. A publisher or manufacturer shall:

(a) Furnish the instructional materials offered by him at a price in the State of California which, including all costs of transportation to that place, shall not exceed the lowest price at which the publisher offers said instructional materials for adoption or sale to any state or school district in the United States.

(b) Automatically reduce the price of said instructional materials to any governing board to the extent that reductions are made elsewhere in the United States.

(c) Provide any instructional materials free of charge in the State of California to the same extent as that received by any state or school district in the United States.

(d) Guarantee that all copies of any instructional materials sold in California shall be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States, and shall be kept revised, free from all errors, and up to date as may be required by the state board.

(e) Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, and that he will not enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the State of California.

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(f) Maintain an office and depository in the State of California or arrange with an independently owned and operated depository in the State of California to receive and fill orders for instructional materials.

For purposes of the preceding paragraph of this subdivision, "instructional materials" shall mean textbooks, or instructional materials systems or instructional materials sets which include textbooks.

For purposes of textbook purchases by governing boards pursuant to subdivision (b) of Section 60264 and Section 60401, the provisions of this subdivision shall apply to every publisher or manufacturer except one whose total orders for textbooks from all governing boards in California under any section of this division are or will be, for the particular school year, less than 1,000 copies of any single title or less than 10,000 copies of multiple titles.

(g) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the governing board in the amount of three times the total sum which the publisher or manufacturer was paid in excess of the price required under subdivisions (a) and (b) and (e), and in the amount of three times the total value of the instructional materials and services which the governing board is entitled to receive free of charge under subdivision (c).

(Enacted by Stats. 1976, Ch. 1010)

5. Nondelegation of Assignment. Neither the rights nor the duties of the PUBLISHER under this Agreement shall be assigned or delegated without written approval of the executive officer of the BOARD. Any attempt to do so shall be void.

6. Fair Employment Practices.

(a) In the performance of this Agreement the PUBLISHER or any subcontractor will not discriminate against any employee or applicant for or in employment because of race, color, religion, ancestry, sex, age, national origin, medical condition, marital status, or physical handicap. The PUBLISHER and any subcontractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, ancestry, sex, age, national origin, medical condition, marital status, or physical handicap. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The PUBLISHER and any subcontractor shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the State setting forth the provisions of the fair employment practices addendum.

(b) The PUBLISHER or any subcontractor will permit access to all records of employment, employment advertisements, application forms, and other pertinent data and records by the Fair Employment and Housing Commission, or any other agency of the State of California designated by the awarding authority, for the purpose of investigation to ascertain compliance with the fair employment practice addendum of this contract.

(c) If the PUBLISHER or any subcontractor is a school district, the PUBLISHER, in addition to the foregoing provisions, will not discriminate against any employee because of pregnancy, and will not terminate any employee who is temporarily disabled, based on a policy which fails to provide sufficient leave if the policy has an unequal impact based on sex and is not justified by necessity of the public schools.

(d) Remedies for Willful Violation:

(1) The State may determine a willful violation of the fair employment practices provision to have occurred on receipt of a final judgement having that effect from a court in an action to which PUBLISHER or any subcontractor was a party, or on receipt of a written notice from the Fair Employment and Housing Commission

that it has investigated and determined that the PUBLISHER has violated the California Fair Employment and Housing act and has issued an order, under Government Code Section 12970, which has become final or obtained an injuction under Government Code Section 12973.

(2) For willful violation of this fair employment practices provision either by PUBLISHER or any subcontractor, the State shall have the right to terminate this Agreement either in whole or in part, and any loss or damage sustained by the State in securing the goods or services hereunder shall be paid for by the PUBLISHER and by PUBLISHER'S surety under the performance bond, if any. The State may deduct from any moneys due or that thereafter may become due to the PUBLISHER, the difference between the price named in the Agreement and the actual cost thereof to the State.

The PUBLISHER shall comply with Sections 12900-12993 of the Government Code.

7. Contingencies Beyond Control of the Publisher. Performance by the PUBLISHER is subject to the contingencies of war, strike, fire, flood, or any act of God or of the government, excluding bankruptcy, and of accidents that are beyond the reasonable control and without fault or negligence of the PUBLISHER. If such contingencies should occur, the PUBLISHER shall submit to the BOARD in writing the reasons why the provision or provisions cannot be fulfilled.

8. Failure to Perform. If the PUBLISHER fails, neglects, or refuses to perform this Agreement, the BOARD may take either or both of the following actions:

   (a) terminate this Agreement upon written notice to the PUBLISHER
   (b) withhold any balance of payments due to the PUBLISHER for purchased instructional materials either until the PUBLISHER meets compliance with this Agreement or as liquidated damages as a result of the failure to perform by the PUBLISHER

9. Place of Execution. This Agreement is deemed to have been executed by both parties in the City of Sacramento, State of California. The validity, enforceability, and interpretation of this Agreement and all of the clauses thereof shall be determined and governed by the laws of the State of California.

10. Term. The term of this Agreement shall commence on the date first entered above and, with respect to each item appearing on the attached instructional materials schedule, shall continue in full force and effect until the period of adoption for each item has expired.

11. Time as Essence. Time is of the essence in this Agreement.

12. Exceptions and Special Provisions. NONE

II ACQUISITION OF INSTRUCTIONAL MATERIALS

Under the terms of administration of the State Instructional Materials Fund, the BOARD is required to exercise its discretion to acquire printed instructional materials either by license to publish and distribute or by purchase of completed materials, depending on orders from schools and in accordance with the best interests of the State. In any year of this adoption the BOARD may elect to acquire any one or more of the materials listed in the attached Schedule of Instructional Materials either by license to publish and distribute under the terms and conditions of OPTION A or by the purchase of completed materials under the terms and conditions of OPTION B. The BOARD shall give timely notice to the PUBLISHER of its election.

OPTION A - LICENSE TO PRINT, PUBLISH, AND DISTRIBUTE MATERIALS

1. License and Period of Use. The PUBLISHER shall license the BOARD to print, publish, and distribute BOARD elected materials, whether from film and/or from dies furnished and delivered by the PUBLISHER to the BOARD or otherwise, for use in the public school system and State institutions of the State of California. This license includes sale or other use or distribution within the State of California, as required or permitted by law and this Agreement.

2. Raw Material and Information to be Furnished. In accordance with such instructions as may be given by the BOARD and within 45 days following the receipt by the PUBLISHER of final notice from the BOARD with respect to corrections, revisions, and additions to the materials required by the BOARD under Paragraph 5(a) hereunder, the PUBLISHER shall furnish and deliver to the BOARD in Sacramento, California, the following:

   (a) Film. The PUBLISHER shall furnish and deliver lithographic film positives or negatives (right-reading with the emulsion down), at the discretion of the Office of State Printing. The BOARD shall give the PUBLISHER timely notice of the type of film required. The Office of State Printing shall be sole judge of the acceptability of film. All film shall conform to the following requirements:

      (1) Film shall be of new type and of a quality that will ensure proper reproduction.

      (2) Negative film shall be properly opaqued and positive film shall be clear and clean in non-printing areas. All surfaces to be reproduced shall be free of obliteration.

      (3) Corrections and revisions of the film from which duplicates are made shall be proofread for accuracy. Type for corrections and revisions shall be of the same tone and weight as the original type.

      (4) Film for multicolor work shall be color corrected and properly registered with register marks positioned not more than one-eighth inch outside of trimmed page size. Flats shall be complete with marks suitable for color register.

(5) Each page of film shall be in one solid piece. Stripped-in corrections are not acceptable on the film submitted to the Office of State Printing.

(6) Film shall be polyester standardbase.

(7) Film shall be free from any tape marks.

(8) Negatives and positives of line work, screened tints, halftones, or related film materials shall have a density of not less than 3.0. Density readings will be determined by eletronic densitometers, utilizing procedures recommended by Eastman Kodak Company.

(9) Each sheet of film shall be identified by folio and color.

(10) Film shall be shipped flat and properly packaged to eliminate curl set.

(b) Proofs. Progressive color proofs shall be provided of all multicolored illustrations in which standard multicolor process printing is involved. Each such color proof shall contain standard halftone tonal strips showing the solid colors and percentage values used. Printed press sheets with color bars may be substituted for progressive proofs.

(c) Dummies. Three dummy copies of each book or other printed material, including any teacher editions or teacher materials, shall be provided. These shall include pasted-in proofs of any and all corrections, revisions or additions. A previous printing of a book may be used as a dummy providing it contains proofs of corrections, revisions, or additions.

(d) Special Cutout Dies. If special cutout dies are offered, they shall conform to the following requirements:

(1) Two printed full press sheets of cutouts to be die cut shall be supplied.

(2) Die cuts to match printed full sheets shall be supplied.

(3) All die cuts shall be .918 inch high.

(e) Information. The following information regarding production of the publisher's edition of the books shall be provided: manner of imposition for printing; kind of press used and nature of press run; and any other pertinent information for reproduction of the book including special or unusual procedures, precautions or problems.

3. Consideration. The BOARD shall pay the PUBLISHER the royalty and lease price of film as set forth in the Schedule of Instructional Materials Bid form in respect to each item which the BOARD elects to print, publish and distribute under Option A. The royalty and lease price of film shall be the sole considerations paid by the BOARD for the rights and privilege under the license of this Agreement.

4. Payment. The BOARD shall pay the considerations listed in Paragraph 3 as follows:

(a) Royalties. The BOARD shall account to the PUBLISHER quarterly for all copies of materials distributed or sold under this Agreement. (Distribution, except in the case of surplus materials, means the release of materials by the State Department of Education to California schools for initial use during a specified year). Royalties due to the PUBLISHER as shown in the quarterly accounts shall be paid to the PUBLISHER from money made available by law for such purposes. The BOARD shall pay the royalties due to the PUBLISHER as soon as state fiscal procedures permit after the close of each quarter.

(b) Lease Price of Film. The lease price of the film, including sales or use tax, for use during the adoption period, shall be paid to the PUBLISHER as soon as state fiscal procedures permit after the receipt of the film.

5. General Provisions.

(a) Corrections and Revisions. After receipt of notice from the BOARD, the PUBLISHER shall correct, revise, and add to the materials as may be required by the BOARD. Corrections, revisions,and additions in the materials to be delivered under Option A of this Agreement shall be made prior to delivery to the BOARD.

(b) Subsequent Corrections and Revisions. During the term of this Agreement, the PUBLISHER shall keep all dies and film furnished and delivered by the PUBLISHER revised, free from errors, and up to date, as may be required by the BOARD.

(c) Return of Raw Materials. If requested by the PUBLISHER within 30 days after the expiration of this Agreement, the BOARD shall return the materials furnished by the PUBLISHER under Option A of this Agreement. The BOARD shall return the materials "as is" to the PUBLISHER at the Office of State Printing in the City of Sacramento, State of California. The PUBLISHER shall remove the materials from the Office of State Printing within 30 days after the expiration of this Agreement.

If no demand is made or the PUBLISHER does not remove the materials within 30 days after the expiration date of this Agreement, the materials shall become property of the BOARD.

In no event shall the materials be returned to the PUBLISHER for any purpose prior to the expiration of this Agreement.

(d) Copyright Legend. Each book printed and published by the BOARD under this Agreement shall show the legal form of words on an appropriate and proper page as will maintain the validy of its copyright.

(e) Liquidated Damages.

(1) The date for delivery of the raw materials specified in Paragraph 2 is fixed so that the BOARD, in pursuance to its duties prescribed in Section 7.5 of Article IX of the California Constitution, may have sufficient time to cause the required number of books to be printed

by the State Printer from such material and to be distributed to California schools for use by the first day of instruction in the adoption period. If any raw material described in and conforming to the requirements of Paragraph 2 is not delivered to the BOARD within the time specified in Paragraph 2, the delay will interfere with the printing and publishing of the books, will disrupt the printing schedule of the State Printer, and will disrupt and delay delivery arrangements to California schools, causing loss and damage to the State, the BOARD, California school students and the public interest.

It is impractical and extremely difficult to fix the actual damage sustained by reason of such delay. The BOARD and the PUBLISHER, therefore, presume that in the event of any delay in delivery of raw materials conforming to the requirements of Paragraph 2, the amount of damage which will be sustained from such a delay will be the following amount, and they agree that in the event of such a delay, the PUBLISHER shall pay the following amount as liquidated damages and not as a penalty:

two hundred and fifty dollars ($250) for each calendar day that any of the raw materials described in Paragraph 2 remain undelivered after the delivery date specified in Paragraph 2, with respect to each contracted title in this Agreement. The total amount of liquidated damages shall not exceed ten thousand dollars ($10,000) or the total amount of the lease price of the film, whichever is more, for each title during each occurance in the adoption period.

In the event of such a delay, the BOARD shall mail the PUBLISHERS a notice of delay indicating the date commencing the accrual of liquidated damages. Upon receipt of the delayed materials at the Office of State Printing, the BOARD shall mail the PUBLISHER a notice of the closing date of the accrual of liquidated damages including the total amount owed by the PUBLISHER to the BOARD. The PURLISHER shall pay the indicated amount of liquidated damages to the BOARD within 60 days of receipt of this final notice. If the PUBLISHER does not pay by such date, the BOARD may deduct the amount of liquidated damages from any money payable to the PUBLISHER under Paragraph 3. The provisions of this paragraph shall not apply to any delay caused by fire, flood, or act of God.

(2) If any of the raw materials described in Paragraph 2 is delivered on or before the specified delivery date but fails to conform to the requirements of Paragraph 2, the BOARD shall notify the PUBLISHER of such a lack of conformance and, at BOARD option, may do either of the following:

(A) The BOARD may cause the material to conform to the required specifications. Upon receipt of notice from the BOARD, the PUBLISHER shall pay the actual cost of conforming the material. For the provisions in subparagraph (e) (1) of this paragraph, delivery is deemed to be on the date that the material is finally conformed to the specifications of Paragraph 2.

(B) The BOARD may return the defective material to the PUBLISHER. In this event, the material shall be deemed to be undelivered and the provisions of subparagraph (e)(1) of this paragraph shall continue to apply.

(3) If any of the raw materials described in Paragraph 2 is delivered after the specified delivery date and fails to conform to the requirements of Paragraph 2, the BOARD shall notify the PUBLISHER of such lack of conformance and delivery delay and, at BOARD option, do either of the following:

(A) The BOARD may cause such defective material to conform to the required specifications. Upon receipt of notice from the BOARD, the PUBLISHER shall pay the actual cost of conforming the material plus pay the amount of liquidated damages computed as if the defective material had been delivered on the date that it was finally conformed to the requirements of Paragraph 2.

(B) The BOARD may return the defective material to the PUBLISHER. In this event, the material shall be deemed undelivered and liquidated damages shall continue to accrue as provided in subparagraph (e)(1) of this paragraph.

(4) With respect to the options described in subparagraphs (e)(2)(A) and (e)(3)(A) of this paragraph, the BOARD shall exercise diligence in causing the defective materials to conform to the required specifications as soon as possible.

6. Sales and Use Tax. Immediately upon acquisition of any film negatives or positives which are to be furnished by the PUBLISHER to the BOARD, the PUBLISHER shall notify the California State Board of Equalization that the film is tangible personal property leased by the PUBLISHER to the BOARD in substantially the same form as acquired by the PUBLISHER (lessor). The PUBLISHER shall pay the California State Board of Equalization any sales or use taxes required by the Provisions of Revenue and Taxation Code Sections 6010(e)(5) and 6006(g)(5) and Ruling No.70(c)(2)(F) which states, "If tax is not paid at the time the property is acquired, and the lessor desires to pay tax measured by the purchase price, it must be reported and paid with the return of the lessor for the period during which the property is first placed in rental service."

If the PUBLISHER uses his or her own plant facilities to produce the film positives or negatives supplied under Option A of this Agreement, the publisher shall be liable for any and all sales or use taxes which might become due and owing the California State Board of Equalization as a result of any film leasing fees and royalties paid to the PUBLISHER by the BOARD pursuant to the terms of this Agreement.

If the PUBLISHER fails timely to so inform the California State Board of Equalization and pay any required sales or use taxes, the PUBLISHER shall be liable for any and all sales or use taxes which might become due and owing the California State Board of Equalization as a result of any film leasing fees and royalties paid to the PUBLISHER by the BOARD pursuant to the terms of this Agreement.

7. Distribution During, and After Close of, the Adoption Period. In addition to distribution of instructional materials through operation of the State Instructional Materials Fund, the BOARD shall have the right to sell instructional materials to any person or entity described in Education Code Section 60310. After the close of the adoption period, the BOARD, and any school district governing board, shall have the right to donate, sell, distribute or otherwise dispose of any remaining undistributed obsolete or surplus instructional materials as authorized by law in effect at that time. Except as provided in Education Code Section 60513, such disposition of instructional materials shall be completed without payment of royalty to the PUBLISHER.

8. Handicapped Minors. The right to print and publish as conveyed by the PUBLISHER to the BOARD in this Agreement shall include the right to transcribe and reproduce materials in Braille, large print, recordings or other media for use by handicapped minors, including the visually impaired unable to use the materials in conventional print form. Such right shall include those corrections, revisions, editorial changes, deletions, format alterations and other similar modifications as required for the use of handicapped minors, including the visually impaired. Such right shall also be provided by the PUBLISHER to the BOARD free from royalty, license or lease charges.

9. Free Teacher Editions or Teacher Guides. If the PUBLISHER provides free teacher editions or teacher guides anywhere in the United States to accompany the pupil texts which are acquired by the BOARD under Option A, the PUBLISHER must also provide free teacher editions or teacher guides to the BOARD to accompany pupil texts acquired by the BOARD under Option A. Upon notification by the BOARD or by the State Department of Education, the PUBLISHER shall deliver to the State Textbook Warehouse free teacher editions in a quantity of up to one free teacher edition or teacher guide for every twenty five pupil editions acquired by the BOARD under Option A. The free teacher materials shall be delivered by the PUBLISHER within 45 days of receipt of notification from the BOARD or the State Department of Education. The PUBLISHER shall pay all freight charges for the delivery of the free teacher materials.

10. Exceptions and Special Provisions. None.

OPTION B - PURCHASE OF COMPLETED PRINTED MATERIALS

1. Purchase of Printed Instructional Materials. The BOARD shall purchase instructional materials from the PUBLISHER by purchase orders given to the PUBLISHER from time to time by the State Department of Education. The PUBLISHER shall sell to the BOARD for use by the BOARD as permitted by law and by this Agreement, such quantities of completed printed instructional materials as the BOARD deems necessary for use in California schools.

2. Consideration. The BOARD shall pay to the PUBLISHER, out of money made available by law for such purpose, in the manner and at the times set forth in this Agreement, the amounts listed for materials ordered by the BOARD under this Agreement and delivered to a California school: the price per copy, f.o.b. destination in California, including sales or use tax and all costs of transportation as set forth in the Instructional Materials Bid in respect to each item the BOARD elects to purchase in completed form under this option.

   The PUBLISHER shall identify and add any additional tax on billings to the BOARD for materials delivered to destinations in counties which, in addition to state and uniform local tax, require a sales, use, transactions, or special purpose tax.

3. Specifications for Books. Books furnished and delivered to the BOARD by the PUBLISHER shall conform to the following requirements:

   (a) The books shall, in all respects, conform to, and be of the same quality of workmanship as, the samples of the respective books submitted by the PUBLISHER to the State Department of Education, except that the books shall also include all revisions required by the BOARD pursuant to Paragraphs 4 and 5 of Option B of this Agreement.

   (b) The books shall be manufactured in accordance with the official minimum standards and specifications for textbooks published by the National Association of State Textbook Administrators, in consultation with the Association of American Publishers and the Book Manufacturer's Institute, in effect on the date of manufacture. If the minimum standards and specifications should be changed during the term of this Agreement, the PUBLISHER shall, upon request by the BOARD, as approved by the Department of General Services, supply books which meet the minimum standards and specifications as changed. Any request by the BOARD pursuant to this section shall be submitted to the PUBLISHER at least one year prior to the date when books which meet the minimum standards and specifications as changed are to be available for delivery.

   Should the PUBLISHER be required to make changes in books pursuant to this section, upon receipt of supporting evidence from the PUBLISHER, the BOARD shall adjust the price per copy payable by the BOARD to reflect the cost per copy to the PUBLISHER for the manufacture of the books to conform to the minimum standards and specifications as changed.

4. Corrections and Revisions. The BOARD may require that the PUBLISHER make corrections, revisions, and additions to materials prior to the delivery of materials to California schools pursuant to this Agreement.

(a) In respect to corrections,revisions, and additions required by the BOARD for materials to be made available for delivery under the first purchase order submitted to the PUBLISHER pursuant to this Agreement, the BOARD shall give written notice to the PUBLISHER not later than 6 months prior to the delivery date for materials submitted on the first purchase order. The PUBLISHER shall make the corrections, revisions,and additions required by the BOARD and shall incorporate them in the materials prior to delivery under the first purchase order for the materials involved.

However, should the number of orders received by the State Department of Education fail to justify the economic feasibility of making such corrections, revisions, and additions, the BOARD may, without prejudice to the PUBLISHER, withdraw the material from the adoption and this Agreement.

(b) If the BOARD should require subsequent corrections, revisions,and additions to materials during the term of this Agreement, the BOARD shall give written notice to the PUBLISHER that corrections, revisions,and additions to a material must be made prior to the next scheduled biennial price adjustment for that material in order for the material to be considered at that time for retention on the state-adopted list pursuant to Education Code Section 60201(a).

5. Additions and Substitutions. The PUBLISHER may request that alternate formats and new edition substitutions for instructional materials listed in the attached Schedule of Instructional Materials of this Agreement be included into this Agreement. Changes to this Agreement pursuant to this section shall be effective on the date of written notice of approval from the State Department of Education to the PUBLISHER.

(a) Alternate Formats. An alternate format to an instructional material shall be added to this Agreement provided that:

(1) the PUBLISHER requests the addition in writing, with a price quotation, no later than two years prior to the adoption expiration date of the particular item to which the alternate format corresponds;

(2) the content, both in text and illustrations is identical to that in the format originally included in this Agreement; and

(3) the alternate format is in addition to, and not a substitution for, the format originally included in this Agreement.

(b) New Edition Substitutions. A new edition of an instructional material shall replace the original edition listed in this Agreement provided that:

(1) the PUBLISHER requests in writing that the new edition be substituted for the original edition,

(2) the changes contained in the new edition are minimal in order to allow the use of both the new edition and the old edition together in the same classroom; and

(3) the price of the original edition at the time of the request shall apply to the new edition substitution until the next allowable biennial price adjustment as scheduled for the original edition.

6. Free Materials. From time to time publishers/suppliers offer instructional materials at no charge to school districts that order their state adopted instructional materials programs. The PUBLISHER shall inform the State Department of Education of any such offerings of "free" materials as they become available so that all school districts may have the opportunity to take advantage of the offerings as mandated by Education Code section 60061 (the "Most Favored Nation" clause). All such materials offered by the PUBLISHER at no charge to school districts in conjunction with the purchase of state adopted instructional materials must pass legal compliance review at the state level.

7. Book Labels. All pupil textbooks shall contain the uniform textbook label.

8. Orders for, and Delivery of, Materials. The PUBLISHER shall deliver in good condition the number of copies of materials specified in purchase orders given to the PUBLISHER pursuant to this Agreement.

   The State Department of Education shall issue a purchase order to the PUBLISHER at least 2 months (60 days) prior to the beginning of any period during which the Department shall require any copies of materials to be delivered.

   The PUBLISHER shall deliver the materials f.o.b. destination in California at the places and in the quantities specified by the State Department of Education within 2 months (60 days) of receipt of a purchase order.

9. Payment. Payment of the purchase price for materials mentioned in any purchase order shall be made as soon as state fiscal procedures will permit following the completion of the delivery of all the materials covered by a purchase order and the receipt by the State Department of Education of an invoice from the PUBLISHER for the materials.

10. Exchange Price Allowance. In accordance with Education Code Section 60061(a) (the "Most Favored Nation" clause), for each material for which an exchange price allowance is offered by the PUBLISHER to any other state or school district in the United States, the PUBLISHER shall offer an exchange price allowance to the BOARD that is equal to the highest exchange price allowance offered by the PUBLISHER anywhere in the United States. The amount of the applicable exchange price allowance shall be provided by the PUBLISHER to the BOARD according to procedures established by the State Department of Education.

11. Direct Purchases. The PUBLISHER shall supply the materials listed in the attached Schedule of Instructional Materials to individuals in California ordering the materials directly from the PUBLISHER at equal prices and quality as specified under the terms of this Agreement as mandated by Education Code sections 60310, 60243, 60222, and 60061.

12. Failure to Perform Damages. The failure of the PUBLISHER to perform under the term of this Agreement by late or non-delivery of materials or the discontinuation to supply materials without prior BOARD approval and the delivery of unauthorized materials will disrupt and delay the intent of the BOARD and the California school educational process causing loss and damage to the State, the BOARD, California school students and the public

interest. It is difficult to assess and fix the actual damages incurred due to the failure of the PUBLISHER to perform. The BOARD and the PUBLISHER agree, therefore, that the PUBLISHER will comply with any of the following requirements made by the BOARD pursuant to this section as compensating or liquidated damages and not as penalties.

(a) Delivery of Unauthorized Materials. For purposes of this paragraph, unauthorized materials are those that do not appear in exact description and terms in the attached Schedule of Instructional Materials of this Agreement or are materials that have not been approved for delivery to California schools under the term of this Agreement in written notice to the PUBLISHER from the BOARD or the State Department of Education.

Should the PUBLISHER deliver unauthorized materials to California schools, upon written notice from the BOARD, the PUBLISHER shall:

(1) withdraw the delivered unauthorized materials from the California schools;

(2) replace the unauthorized material that is withdrawn with authorized material that is comparable in subject matter, quality, quantity and price in the California schools;

(3) incur all costs of transportation or any other costs involved to complete the transactions of withdrawing and replacing unauthorized materials; and

(4) complete the transactions of withdrawing unauthorized material and replacing it in California schools with comparable authorized material within 60 days of the receipt of written notice from the BOARD.

(b) Late Delivery or Non-delivery. Should the PUBLISHER fail to deliver materials within 60 days of the receipt of a purchase order from the State Department of Education and the PUBLISHER had not received prior written approval from the BOARD for such a delay in delivery, the BOARD may withhold from any payments owed to the PUBLISHER, the amount of 2% of the total payments owed for each day each title on the purchase order is delayed beyond 60 days. Pursuant to this section, the maximum dollar amount that shall be withheld by the BOARD from payments owed to the PUBLISHER from any individual purchase order shall be twenty-thousand dollars ($20,000). Should the BOARD take such action, the BOARD shall give the PUBLISHER written notification of the delivery delay and the date commencing the accrual of dollar amounts to be withheld from payments owed to the PUBLISHER. Upon notification from California schools of the delivery of the material, the BOARD shall send a final written notice to the PUBLISHER. This notice shall indicate the ending date of the accrual period and the total dollar amount that the BOARD shall withhold from payments owed to the PUBLISHER as liquidated damages.

(c) Discontinuation of Materials. A discontinuation of a material before its adoption expiration date may cause a hardship on California schools by limiting the re-order availability of components necessary for the use of instructional material sets or programs. Should the PUBLISHER discontinue to supply a material before its adoption expiration date without prior written approval from the BOARD, upon receipt of written notice from the BOARD, the PUBLISHER shall buy back all components of the instructional material program, set, or system in which the discontinued item was designed to be used from all California schools having received the material program, set, or system within the adoption period of the material program, set, or system. The PUBLISHER shall buy back the material program, set, or system at the price in effect pursuant to this Agreement at the time the particular material from the program, set, or system is discontinued.

13. Title to Materials. Title to the materials delivered under this Agreement shall pass to the BOARD upon delivery of the materials to California schools and not before. In the event that after the materials are delivered, the BOARD shall discover any defects in any of the materials or shall discover that any of the materials do not conform to the specifications in Paragraphs 3 and 4 of Option B, the PUBLISHER shall promptly replace the defective or nonconforming materials with those having no defects and which comply with the required specifications.

14. Handicapped Minors. This Agreement shall include the right to transcribe and reproduce the materials in Braille, large print, recordings or other media for use by handicapped minors, including the visually impaired unable to use the materials in conventional print form. Such right shall include those corrections, revisions, editorial changes, deletions, format alterations, and other similar modifications as required for use by handicapped minors, including the visually impaired. Such right shall also be provided by the PUBLISHER to the BOARD free from royalty, license or lease charges.

15. Exceptions and Special Provisions. None.

This Agreement consists of these 15 numbered pages and the following attachments as indicated by check marks:

[X] Schedule of Instructional Materials

The BOARD and the PUBLISHER have each caused this Agreement to be executed in quadruplicate by their respective duly authorized representatives.

STATE BOARD OF EDUCATION
OF THE STATE OF CALIFORNIA

by _____
President

_____
Publisher

by _____
typed name of officer and title

_____
signature of officer

_____
Witness

ATTACHMENT #11

PAYMENT APPROVAL PROCESS AND PROCEDURES

Office of Curriculum Frameworks and
Textbook Development

November, 1983

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig - Superintendent of Public Instruction

CALIFORNIA STATE DEPARTMENT OF EDUCATION
721 Capitol Mall
Sacramento, CA 95814

Bill Honig
Superintendent
of Public Instruction

November 1983

TO: Publishers/Producers under Contract to Supply Instructional Materials to California Schools

FROM: Francie Alexander, Manager
Office of Curriculum Frameworks
and Textbook Development
(916) 445-5754

SUBJECT: INSTRUCTIONAL MATERIALS PAYMENT APPROVAL PROCESS AND PROCEDURES (FOR STATE CREDIT ORDERS ONLY)

The Department of Education receives telephone and mail inquiries daily from publishers/producers concerning payment for the instructional materials supplied to California schools.

In the interest of keeping our suppliers informed and of making more timely payments to the publishers/producers, effective January 1, 1983, the California State Department of Education implemented a computer system to assist the accounts payable process.

The main benefit of this system is to bring attention to those purchase orders that are ready for payment and to show which purchase orders are outstanding due to the lack of district acknowledgement.

Because there are often various reasons for school districts not returning signed receipts for material, we have implemented a computer tracing system in order that payments to publishers can be made as promptly as possible. The tracing of school receipts will take place over a 120 day cycle, starting with the receipt of a publisher invoice, which will trigger the first data mailer transmittal to the school district to submit a receipt. The second, to be sent 30 days later, will once again request a receipt, but will also ask for a written reason as to why no receipt is being returned. If it is a shipping problem, a copy of this notice will be forwarded to the publisher. The third notice, 30 days later, will give the district a definite time limit for returning their receipt; if this is not done, payment will be approved by the CFTD Office of the Department of Education.

In order to implement this system, we will need vendor cooperation. The logging of publisher invoices and district receipts will now be sent to another office for key-punching. In order to process payment approvals through this office, all invoices and credit memos must supply the following information:

(1) The eleven digit California State Purchase Order number.

(2) Name of school district to which material was shipped, exactly as shown on purchase order.

(3) Date material was shipped.

(4) Title, quantity, unit price, net price, of only adopted or approved materials.

(5) Invoices and credit memos in triplicate.

In addition to the above, credit memos must also show the following:

(1) A reference invoice number.

(2) Reason why a credit is being issued against the purchase order.

Any invoices/credit memos without the above information will be returned to the publisher. In addition, please do not invoice for any material on a state purchase order until the entire order is shipped. Do not bill for partial shipments.

RETURN OF MATERIALS BY SCHOOL DISTRICTS

It is becoming more and more difficult to credit returned material for the following reasons:

(1) Some credits submitted by publishers are for returns made on shipments as many as four years ago.

(2) After a period of three years, our state purchase orders are boxed and sent for storage, so it is impossible to check data.

(3) Inadequate information on credit memos causes endless searching for the original order and determining a reason for credit being issued.

Although the Instructional Materials Ordering Manual states that requests from school districts to return excess material must be submitted within 90 days of receipt of material, it has not been enforced by the majority of publishers. We are requesting that all return requests be made within a 90 day period and that vendors approve only those requests submitted within that period of time. Credit memos for returned material should be issued by publishers as soon as possible after material is received from school districts.

Please do not exchange materials that are listed on state purchase orders. Billings for such exchanges will not be paid and will be returned to the vendor.

Cooperation of vendors in the area or returns, credits and exchanges will result in a more efficient process and more timely payments to publishers.

BILLING ADDRESS AND CONTACT PERSONS

We have discovered that the people with whom we deal regarding invoices seldom receive the instructions for invoicing, resulting in incorrect pricing and an incorrect billing address.

Please assist us by forwarding all three pages of this correspondence to the personnel who are responsible for billing and crediting state orders in the invoicing/accounts receivable department.

Various offices in the Department of Education submit their purchase orders to publishers/producers throughout the United States. Each office has its own payment approval process. Many of the invoices are sent to the wrong agency, causing a delay in payment to the vendor.

Purchase orders submitted by the Instructional Materials Office should be invoiced to the address listed below:

State Department of Education
Textbook Distribution Office
721 Capitol Mall
Sacramento, CA 95814

Contact persons regarding the payment approval process:

Rhani Bunker, Staff Service Analyst	(916)323-2590
Vernice Challberg, Office Technician	323-2616
Mercedes Kampmeinert, Account Clerk II	323-2599
Steev Schmidt, Account Clerk II	445-2219
Nora Trujillo, Account Clerk II	323-2591

FA:RB:vc